## UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

BARRY SPENCER II,

\*

Plaintiff,

\*

v. \* Civil Action No. 15-cv-10634-IT

\*

CITY OF BOSTON, OFFICER ZANOLI, OFFICER COLBY, and SUPERVISOR

\*

DANIEL C. KEANE

\*

Defendants.

## ORDER

January 29, 2019

TALWANI, D.J.

After considering the Magistrate Judge's January 9, 2019, Report and

Recommendation [#80], and noting that there has been no objection, the court hereby ACCEPTS and ADOPTS the Report and Recommendation [#80] as unopposed. Defendant Colby's Motion to Dismiss Plaintiff's Amended Complaint for Failure to State a Claim [#73] is ALLOWED.

Further, the remaining claims in the <u>Amended Complaint</u> [#45-1] are DISMISSED and the Complaint [#1] is DISMISSED in its entirety.

IT IS SO ORDERED.

/s/ Indira Talwani
United States District Judge