UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ANTHONY BAMOND, JR.,

Plaintiff, **No. 1:09-cv-581 (GLS/DRH)**

v.

THE COUNTY OF ULSTER, *et al.*,

Defendants.

APPEARANCES: **OF COUNSEL:**

FOR THE PLAINTIFF:
ANTHONY BAMOND, JR.
Pro Se
P.O. Box 234
419 South Street
Clintondale, NY 12515-0234

FOR THE DEFENDANTS:
No Appearances

Gary L. Sharpe
U.S. District Judge

MEMORANDUM-DECISION AND ORDER

On April 24, 2009, pro se plaintiff Anthony Bamond, Jr. brought this action under 42 U.S.C. § 1983 alleging violations of his civil rights. In his complaint, Bamond failed to assert any facts or arguments in support of his

claims. (*See generally* Compl., Dkt. No. 1.) After being directed on May 20, 2009, to file an amended complaint that complies with FED. R. CIV. P. 8 and 10, (Dkt. No. 5), and failing to do so by the June 19, 2009 deadline, Magistrate Judge David R. Homer filed a Report and Recommendation Order (R&R) recommending that Bamond's complaint be dismissed in its entirety without prejudice pursuant to FED. R. CIV. P. 16(f)(1)(C) and 37(b)(2)(A)(v). (Dk. No. 7.)[1] On July 6, 2009, the court received a letter from Bamond seeking a ninety-day extension, which the court construed as a request for an extension to file objections to the R&R. (Dkt. No. 8.) The court granted Bamond's request and extended the deadline for filing objections to September 22, 2009. On August 19, 2009, Bamond filed what was labeled a notice of motion for summary judgment, which was supplemented by affidavit, memorandum of law, and various exhibits. (Dkt. Nos. 9, 10.) Accordingly, the court will construe Bamond's motion for summary judgment as objections to Judge Homer's R&R.

Before entering final judgment, this court routinely reviews all report and recommendation orders in cases it has referred to a magistrate judge.

[1]The Clerk is directed to append the R&R to this decision, and familiarity therewith is presumed.

If a party has objected to specific elements of the magistrate judge's findings and recommendations, this court reviews those findings and recommendations de novo. *See Almonte v. N.Y. State Div. of Parole,* No. 04-cv-484, 2006 WL 149049, at *6-7 (N.D.N.Y. Jan. 18, 2006). In those cases where no party has filed an objection, or only a vague or general objection has been filed, this court reviews the findings and recommendations of a magistrate judge for clear error. *See id.* Bamond has failed to raise any specific objections, let alone any intelligible legal or factual allegations. Therefore, having reviewed the R&R for clear error and finding none, the court adopts Judge Homer's R&R in its entirety.

WHEREFORE, for the foregoing reasons, it is hereby

ORDERED that Magistrate Judge Homer's R&R is adopted and Bamond's complaint is **DISMISSED** in its entirety without prejudice; and it is further

ORDERED that the Clerk provide copies of this Memorandum-Decision and Order to the parties.

IT IS SO ORDERED.

Albany, New York
October 14, 2009