

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ANTONIO J. OROPALLO

Plaintiff,

v.

Civil Action No.
1:09-cv-1249 (GLS/DRH)

TOWN OF COLONIE; COLONIE POLICE DEPARTMENT; STEVEN H. HEIDER, Colonie Chief of Police in his official and individual capacity; SERGEANT CHRISTOPHER RUFF, Colonie Police Department, in his official and individually capacity; OFFICER DAVID MINK, Colonie Police Department, in his official and individual capacity; OFFICER DANIEL J. BELLES, in his official and individually capacity; JOHN DOE and JANE DOE, representing any other members of the Colonie Police Department involved in the incident at 719 Vermont View Dr., Colonie, New York, on October 6, 2008, in their official and individual capacities,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

ANTONIO J. OROPALLO
Plaintiff, *Pro Se*
714 Vermont View Drive
Watervliet, New York 12189

FOR THE DEFENDANTS:

D'Agostino, Krackeler, Maguire
& Cardona, P.C.
The Sage Mansion
16 Sage Estate
Menands, New York 12204

ANTHONY V. CARDONA, JR., ESQ.
MIA D. VAN AUKEN, ESQ.

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed October 15, 2010. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Amended Report-Recommendation for clear error, it is hereby

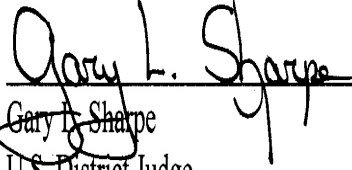
ORDERED, that the Report-Recommendation of Magistrate Judge David R. Homer filed October 15, 2010 (Dkt. No. 22) is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that this action is DISMISSED as to all claims and all defendants; and it is further

ORDERED, that the Clerk of the court serve a copy of this order upon the parties in accordance with this court's local rules by regular and certified mail.

IT IS SO ORDERED.

Dated: November 15, 2010
Albany, New York



Gary L. Sharpe
U.S. District Judge