

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ARTHUR L. MERCER,

Plaintiff,

No. 1:13-CV-1052

-v-

JOAN GUDESBLATT LAMB, Prosecutor;
HOLLEY D. CARNRIGHT, Ulster County
District Attorney; and KEVIN C. HARP,
Prosecutor,

Defendants.

APPEARANCES:

OF COUNSEL:

ARTHUR L. MERCER
Plaintiff Pro Se
11-A-5486
Fishkill Correctional Facility
P.O. Box 1245
Beacon, NY 12508

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Arthur Mercer brought this action pursuant to 42 U.S.C. § 1983. On August 28, 2013, the Honorable Christian F. Hummel, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed as barred by Heck v. Humphrey, 512 U.S. 477, 486–87 (1994). No objections to the Report-Recommendation were filed.

Based upon a careful review of the entire file and the recommendations of the

Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

Plaintiff's complaint is DISMISSED in its entirety.

The Clerk is directed to file a judgment and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: November 6, 2013
Utica, New York.