

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DUJON MANLEY,

Plaintiff,

vs.

1:16-CV-0796 (NAM/CFH)

**CHAMPLAIN STONES; JANE DOE;
JOHN DOE; JOHN DOE,**

Defendants.

APPEARANCES:

Dujon Manley
206-471-587
Buffalo Federal Detention Facility
4250 Federal Drive
Batavia, New York 14020
Plaintiff, *pro se*

NORMAN A. MORDUE, SENIOR U. S. DISTRICT JUDGE

ORDER

On October 11, 2016, after initial review under 28 U.S.C. § 1915(e), United States Magistrate Judge Christian F. Hummel filed a Report-Recommendation and Order (Dkt. No. 8) recommending that the complaint be dismissed and providing plaintiff the opportunity to file an amended complaint within 30 days. Magistrate Judge Hummel also granted plaintiff's *in forma pauperis* application (Dkt. No. 7) and recommended that plaintiff's motion (Dkt. No. 4) for appointment of counsel be denied without prejudice. No party has objected. The Court has reviewed the file, including the Report-Recommendation and Order, and finds no error.

On October 28, 2016, plaintiff timely filed an amended complaint (Dkt. No. 9).

It is therefore

ORDERED that the Report and Recommendation (Dkt. No. 8) is accepted in its entirety;
and it is further


ORDERED that plaintiff's motion (Dkt. No. 4) for appointment of counsel is denied
without prejudice; and it is further

ORDERED that the file is referred to United States Magistrate Daniel J. Stewart for initial
review of the amended complaint (Dkt. No. 9); and it is further

ORDERED that the Clerk of the Court is directed to serve copies of this
Memorandum-Decision and Order in accordance with the Local Rules of the Northern District of
New York.

IT IS SO ORDERED.

Date: November 10, 2016
Syracuse, New York


Norman A. Mordue
Senior U.S. District Judge