

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**WILLIAM PRAILEAU,**

**Plaintiff,**

**1:17-cv-836  
(GLS/CFH)**

**v.**

**THE STATE OF NEW YORK, et al.,**

**Defendants.**

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**APPEARANCES:**

**OF COUNSEL:**

**FOR PLAINTIFF:**

WILLIAM PRAILEAU  
Plaintiff, *Pro Se*  
8 East 109<sup>th</sup> Street  
New York, New York 10029

**Gary L. Sharpe**  
**Senior District Judge**

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation and Order by Magistrate Judge Christian F. Hummel, duly filed on November 8, 2017. (Dkt. No. 16.) Following fourteen 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 Report-Recommendation and Order for clear error, it is hereby

**ORDERED** that the Report-Recommendation and Order (Dkt. No. 16) is **ADOPTED** in its entirety; and it is further

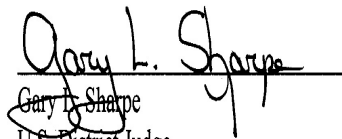
**ORDERED** that plaintiff's complaint (Dkt. No. 2) is **DISMISSED** in its entirety without prejudice, and that plaintiff is permitted an opportunity to amend, and that such amended complaint shall be filed within thirty (30) days of this Order; and it is further

**ORDERED** that, if plaintiff fails to file an amended complaint within the time permitted, the clerk is directed to close this case without further order of the court; and it is further

**ORDERED** that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

December 5, 2017  
Albany, New York

  
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Gary L. Sharpe  
U.S. District Judge