

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JANINE D. THOMPSON,

3:13-CV-91  
(DNH/DEP)

Plaintiff,

-v-

NEW YORK STATE OFFICE OF MENTAL  
RETARDATION & DEVELOPMENT  
DISABILITIES,

Defendant.

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APPEARANCES:

JANINE D. THOMPSON  
Plaintiff pro se  
410 Hannah Street  
Apt. 2  
Endicott, NY 13760

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff brought this action alleging employment discrimination against the New York State Office of Mental Retardation and Developmental Disabilities. On April 22, 2013, the Honorable David E. Peebles, United States Magistrate Judge, advised, by Report-Recommendation, that plaintiff's complaint be dismissed with leave to amend. Following the issuance of the Report-Recommendation, plaintiff filed what is titled an "amended claim" and

appears to be her attempt at curing the deficiencies addressed in the Report-Recommendation.<sup>1</sup> No actual objections to the Report-Recommendation were made.

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).

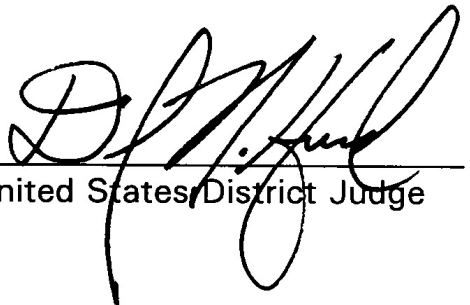
Therefore, it is

ORDERED that

Plaintiff's complaint is DISMISSED, unless within thirty days of the date of this Decision and Order, plaintiff files an amended complaint that remedies the deficiencies identified in the Report-Recommendation.

The Clerk is directed to serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

IT IS SO ORDERED.

  
United States District Judge

Dated: January 16, 2014  
Utica, New York.

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<sup>1</sup> Plaintiff is advised that this filing is not accepted as an amended complaint and she must file an amended complaint within thirty days of this Decision and Order. Plaintiff is advised that any amended complaint will replace the existing complaint, and must be a wholly integrated and complete pleading that does not rely upon or incorporate by reference any pleading or document previously filed with the court.