

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MICHAEL CURTIS REYNOLDS,

3:13-CV-0950  
(DNH/DEP)

Plaintiff,

-v-

UNITED STATES OF AMERICA; LARRY  
WHITEHEAD; and JOSEPH NOONE,

Defendants.

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APPEARANCES:

MICHAEL CURTIS REYNOLDS  
Plaintiff pro se  
10671-023  
Federal Correctional Complex  
P.O. Box 5300  
Adelanto, CA 92301

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff brought this action alleging various constitutional deprivations leading up to his prosecution and conviction in the United States District Court for the Middle District of Pennsylvania. On October 11, 2013, the Honorable David E. Peebles, United States Magistrate Judge, advised, by Report-Recommendation, that plaintiff be ordered to pay the \$400 filing fee within thirty days of the date of this Decision and Order and that if the filing fee is not received by the court within that time frame, the Clerk be directed to dismiss plaintiff's

complaint and close the file, without further order. Plaintiff timely filed objections to the Report-Recommendation.

Based upon a de novo review of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

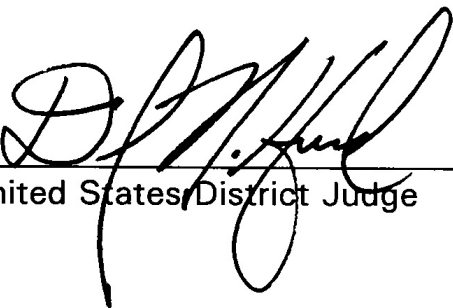
Therefore, it is

ORDERED that

1. Plaintiff pay the \$400 filing fee within thirty (30) days of the date of this Decision and Order; and

2. If the filing fee is not received by the court within thirty (30) days of the date of this Decision and Order, the Clerk dismiss plaintiff's complaint and close the file, without further order.

IT IS SO ORDERED.

  
United States District Judge

Dated: November 5, 2013  
Utica, New York.