

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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KEVIN JOSEPH GABRIEL BRENNAN,

Plaintiff,

-v-

3:17-cv-122  
(DNH/DEP)

BROOME COUNTY, NEW YORK and ROBERT  
BEHNKE, Broome County Attorney,

Defendants.

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APPEARANCES:

KEVIN JOSEPH GABRIEL BRENNAN  
Plaintiff pro se  
319 Exchange Avenue  
Townhouse #20  
Endicott, New York 13760

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se plaintiff Kevin Joseph Gabriel Brennan brought this action alleging violations of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12101 et seq. On May 2, 2017, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's claims against defendant Behnke be dismissed, without leave to replead, and that plaintiff be permitted to proceed with his claims against defendant Broome County. Plaintiff timely filed an objection to the Report-Recommendation along with a proposed amended complaint, and an additional letter further explaining his objections.

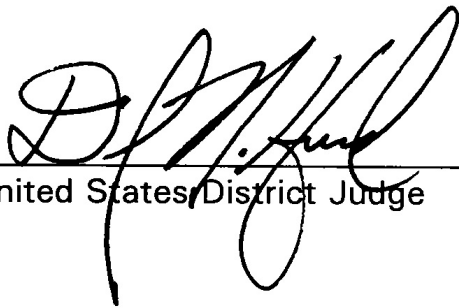
Based upon a de novo review of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Plaintiff's complaint is DISMISSED as against defendant Behnke; and
2. This matter is referred back to Magistrate Judge Peebles for further proceedings.

IT IS SO ORDERED.



United States District Judge

Dated: July 5, 2017  
Utica, New York.