

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

STANLEY T. OSHINTAYO,

Plaintiff,

-v-

3:19-CV-253
(DNH/DEP)

VERONICA M. KRAUSE, Assistant District
Attorney; BROOME COUNTY; MICHAEL T.
BAKER, Public Defender; and BROOME
COUNTY DISTRICT ATTORNEY'S OFFICE,
formerly known as Broome County District
Attorney,

Defendants.

APPEARANCES:

STANLEY T. OSHINTAYO
Plaintiff pro se
16-R-0909
Greene Correctional Facility
P.O. Box 975
Coxsackie, NY 12051

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Stanley T. Oshintayo brought this civil rights action pursuant to 42 U.S.C. § 1983. On April 1, 2019, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that the complaint be dismissed without prejudice and that plaintiff be given leave to amend. No objections to the Report-

Recommendation have been filed.

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

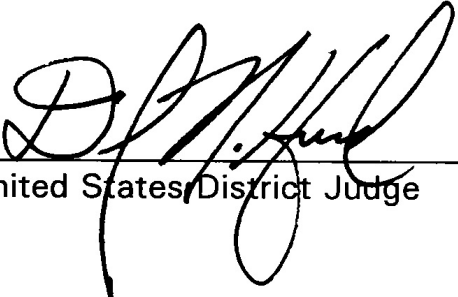
ORDERED that

1. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE and plaintiff is given an opportunity to amend his complaint within thirty (30) days of the date of this Decision and Order to properly present the facts which would support his claim for entitlement to relief against these defendants;

2. If plaintiff files a timely amended complaint, it be forwarded to the Magistrate Judge for review; and

3. If plaintiff fails to file an amended complaint within thirty (30) days of the date of this Decision and Order, the complaint will be dismissed in its entirety without further order.

IT IS SO ORDERED.


United States District Judge

Dated: April 26, 2019
Utica, New York.