

***** UNITED STATES DISTRICT COURT *****

 NORTHERN DISTRICT OF NEW YORK

JUDGMENT IN A CIVIL CASE

DOCKET NO. 5:13-cv-190 (GLS/ATB)

**DANA E. DZWONCZYK f/k/a
 Wlodzimierz Dzwonczyk**

v.

DAVID N. HURD

_____ **JURY VERDICT.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

_____ **X**

DECISION BY COURT. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED, that Magistrate Judge Baxter's March 5, 2013 Order and Report-Recommendation (Dkt. No. 9) is **ADOPTED** in its entirety. That Dzwonczyk's Amended Complaint is **DISMISSED** in its entirety pursuant to 28 U.S.C. § 1915(e)(2)(B)(I) and (ii). That Dzwonczyk's motions to place the case into ADR (Dkt. No. 5), for a three-judge court (Dkt. No. 12), to temporarily stay the case (Dkt. No. 13), and for the recusal of Judge Baxter, are **DENIED** as moot. That Dzwonczyk's motions to amend (Dkt. No. 11), and to join additional defendants (Dkt. No. 14), are **DENIED** as futile. That any appeal taken from this matter would not be taken in good faith pursuant to 28 U.S.C. §1915(a)(3), in accordance with the Memorandum-Decision and Order issued by Chief Judge Gary L. Sharpe on May 23, 2013.

_____ **May 23, 2013**

_____ **LAWRENCE K. BAERMAN**
 CLERK OF THE COURT

BY: S/ _____
 DEPUTY CLERK
 John Law