Davies v. Tomushunas Doc. 7

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK		
BETTY DAVIES,		
	Plaintiff,	No. 5:13-CV-1305
-V-		110. 0.10 01 1000
MICHAEL TOMUSHUNAS,		
	Defendant.	
APPEARANCES:		OF COUNSEL:
BETTY S. DAVIES Plaintiff Pro Se 114 Burnet Avenue		

DAVID N. HURD United States District Judge

Syracuse, NY 13202

## **DECISION and ORDER**

Pro se plaintiff Betty Davies brought this action pursuant to 42 U.S.C. § 1983. On October 23, 2013, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that the complaint be dismissed with prejudice.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. <u>See</u> 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

Plaintiff's complaint is DISMISSED with prejudice.

The Clerk is directed to serve a copy of this Decision and Order on plaintiff and close the file.

IT IS SO ORDERED.

United States District Judge

Dated: December 10, 2013 Utica, New York.