

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RICHARD C. PIETRAFESA, JR.

Plaintiff,

-v.-

Civil Action No.
5:13-cv-1565 (GLS/TWD)

KIM A. DWYER et al.

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Office of Anthony J. Pietrafesa
210 Bell Court
Schenectady, New York 12303

ANTHONY J. PIETRAFESA, ESQ.

**FOR THE DEFENDANT KIM
DWYER:**

KIM A. DWYER
Pro Se
5196 South Shore Drive
Clear Lake, Iowa 50428

**FOR DEFENDANT U.S. TURBINE
AIRCRAFT SALES, INC.:**

No Appearance Made.

GARY L. SHARPE,
CHIEF JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Therese Wiley Dancks, duly filed November 17, 2014. Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby


ORDERED that the Report-Recommendation of Magistrate Judge Therese Wiley Dancks filed November 17, 2014 (Dkt. No. 21) is ACCEPTED in its entirety for the reasons stated therein; and it is further

ORDERED that this action is DISMISSED without prejudice, for failure to prosecute; and it is further

ORDERED that the Clerk close this case and provide a copy of this Order to the parties in accordance to the local rules.

IT IS SO ORDERED.

Dated: December 9, 2014
Albany, New York



Gary L. Sharpe
Chief Judge
U.S. District Court