

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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RAYSHELL S. JOHNSON,

Plaintiff,

5:20-CV-1054  
(DNH/ML)

-v-

SYRACUSE POLICE DEPT., all others; and  
ONONDAGA COUNTY SHERIFF'S  
DEPARTMENT,

Defendants.  
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APPEARANCES:

RAYSHELL S. JOHNSON  
Plaintiff pro se  
605 Carbon Street  
Syracuse, NY 13208

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se plaintiff Rayshell S. Johnson commenced this action on September 8, 2020.

On November 6, 2020, the Honorable Miroslav Lovric, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed with leave to replead for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(B). 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.

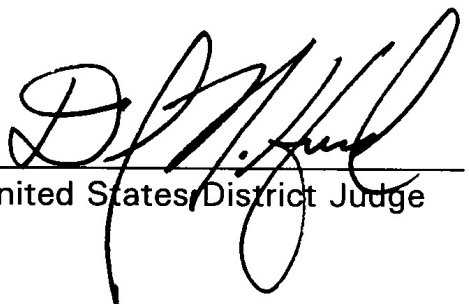
§ 636(b)(1).

Therefore, it is

ORDERED that

1. Plaintiff's complaint is DISMISSED WITH LEAVE TO REPLEAD for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(B);
2. Plaintiff is provided an opportunity to amend the complaint within thirty (30) days of the date of this Decision and Order to correct the deficiencies identified in the Report-Recommendation;
3. If plaintiff timely files an amended complaint within thirty (30) days of the date of this Decision and Order, the file be forwarded to United States Magistrate Judge Miroslav Lovric for further review; and
4. If plaintiff fails to file an amended complaint within thirty (30) days of the date of this Decision and Order, the complaint be dismissed in its entirety without further order.

IT IS SO ORDERED.



United States District Judge

Dated: November 25, 2020  
Utica, New York.