

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

SHAUN LANOCE,

Plaintiff,

vs.

6:13-CV-1140

FRANK MELLACE, Esq.;
COUNTY OF ONEIDA;
DISTRICT ATTORNEY
SCOTT MCNAMARA;
ONEIDA COUNTY COURT.

Defendants.

Thomas J. McAvoy,
Sr. U.S. District Judge

DECISION & ORDER

This *pro se* civil rights action pursuant to 42 U.S.C. § 1983 was referred to the Hon. Therèse Wiley Dancks, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

The Report-Recommendation dated November 6, 2013: granted Plaintiff's second application to proceed *in forma pauperis* (Dkt. #7); denied Plaintiff's first application to proceed *in forma pauperis* (Dkt. #6) as moot; and recommended that Defendant's complaint (Dkt. #1) be dismissed without leave to amend.

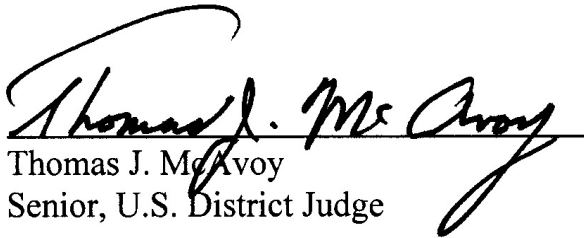
No objections to the Report-Recommendation have been filed. After examining the record, this Court has determined that the Report-Recommendation is not subject to

attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein.

For the foregoing reasons, the Court ADOPTS the Report and Recommendation and dismisses the Plaintiff's Complaint (Dkt. #1) without leave to amend.

IT IS SO ORDERED.

Dated: April 11, 2014


Thomas J. McAvoy
Senior, U.S. District Judge