

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOHNNY FLORES,

Plaintiff,

-v-

No. 6:14-CV-1544
(DNH/ATB)

SILVANO ROMAN; STATE OF NEW YORK;
SCOTT MCNAMARA; and SONIA
RODRIGUEZ,

Defendants.

APPEARANCES:

OF COUNSEL:

JOHNNY FLORES
Plaintiff Pro Se
P.O. Box 601
Utica, NY 13503

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Johnny Flores filed this action on December 22, 2014. On December 24, 2014, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed in its entirety with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i-iii) as frivolous, for failure to state a federal claim, and based upon Eleventh Amendment immunity as to defendant New York State. No objections to the Report-Recommendation were 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).

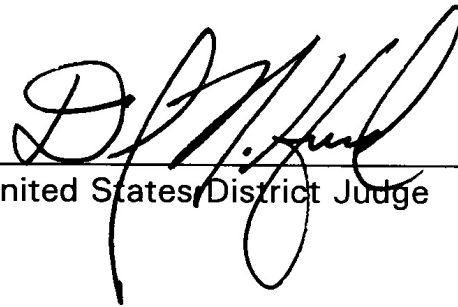
Therefore, it is

ORDERED that

1. Plaintiff's complaint is DISMISSED in its entirety with prejudice; and
2. The Clerk is directed to enter Judgment accordingly, serve a copy of this

Decision and Order upon plaintiff in accordance with the Local Rules, and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: January 15, 2015
Utica, New York.