

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

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**NANCY WALRATH,**

**Plaintiff,**

**v.**

**6:15-CV-00463  
(TJM/TWD)**

**NEW YORK STATE CANAL CORPORATION and  
NEW YORK STATE THRUWAY AUTHORITY,**

**Defendants.**

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**THOMAS J. McAVOY,  
Senior United States District Judge**

**DECISION & ORDER**

**I. INTRODUCTION**

This action brought pursuant to Title VII of the Civil Rights Act of 1964 was referred to the Hon. Thérèse Wiley Dancks, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c). No objections to Magistrate Judge Dancks' Report-Recommendation [dkt. # 29] have been filed, and the time to do so has expired.

**II. DISCUSSION**

After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

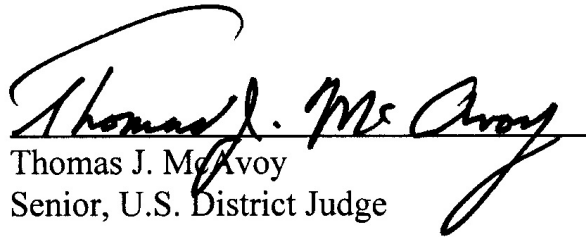
**III. CONCLUSION**

Accordingly, the Court **ADOPTS** the Report-Recommendation and Order [dkt. # 29]

for the reasons stated therein. Therefore, it is hereby

**ORDERED** that Plaintiff's motion [dkt. # 28] to dismiss this action pursuant to Fed. R. Civ. P. 25(a) is **GRANTED**, and the Complaint is **DISMISSED with prejudice**.

Dated: October 18, 2016

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