

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

**WILLIAM G. SCHISLER, SR.
et al.,**

Plaintiffs,

**6:16-cv-1050
(GLS/ATB)**

v.

ROBERT THOMAS et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFFS:

William G. Schisler, Sr.
Pro Se
1010 Green St.
Utica, NY 13502

Annette M. Dow
Pro Se
1010 Green Street
Utica, NY 13502

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following an Order and Report-Recommendation (R&R) by Magistrate Judge Andrew T. Baxter, duly filed on September 1, 2016. (Dkt. No. 4.) Following fourteen

days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

Plaintiffs *pro se* filed objections to the R&R. (Dkt. No. 8.) In their objections, plaintiffs generically attack Judge Baxter as biased. (*Id.*) The only discernible basis for the allegation of judicial bias is the recommendation that their case be dismissed. There is absolutely no indication of bias and that spurious argument is emphatically rejected. Having carefully reviewed the substance of the R&R for clear error, see *Almonte v. N.Y.S. Div. of Parole*, No. Civ. 904CV484, 2006 WL 149049, at *6 (N.D.N.Y. Jan. 18, 2006), and finding none, it is adopted in its entirety.

Accordingly, it is hereby

ORDERED that the Order and Report-Recommendation (Dkt. No. 4) is **ADOPTED** in its entirety; and it is further

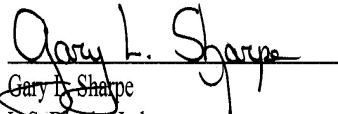
ORDERED that the complaint (Dkt. No. 1) is **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim; and it is further

ORDERED that the Clerk close this case; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance with this court's Local Rules.

IT IS SO ORDERED.

November 9, 2016
Albany, New York


Gary L. Sharpe
U.S. District Judge