## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

MILTON MUSA PACHECO,

Plaintiff,

v.

Civil Action No. 9:07-CV-0850 (FJS/GHL)

GEORGE E. PATAKI, ELLIOTT SPITZER, ANTHONY ELLIS, GEORGE B. ALEXANDER, E. WOODS, BRIAN FISHER, LUCIEN J. LECLAIRE, JR., ROBERT DENNISON,

Defendants.

APPEARANCES:

OF COUNSEL

MILTON MUSA PACHECO, 79-B-0064 Plaintiff *pro se* Great Meadow Correctional Facility Box 51 Comstock, New York 12821

HON. ANDREW M. CUOMO Attorney General of the State of New York Counsel for Defendant Alexander The Capitol Albany, New York 12224 KRISTA A. ROCK, ESQ. Assistant Attorney General

FREDERICK J. SCULLIN, JR., S.J.:

**ORDER** 

Currently before the Court is Magistrate Judge George H. Lowe's Report-

Recommendation filed May 5, 2010, to which the parties have filed no objections.

On May 26, 2010, this Court extended the Plaintiff's deadline to submit objections

to Magistrate Judge Lowe's Report-Recommendation to July 26, 2010.

Thereafter, Plaintiff filed no objections to said Report-Recommendation.

Accordingly, having reviewed that Report-Recommendation and the entire file in

this matter, the Court hereby

**ORDERS** that the Report-Recommendation of Magistrate Judge George H.

Lowe filed May 5, 2010, is **ACCEPTED** in its entirety, for the reasons stated

therein; and the Court further

**ORDERS** that Defendant Alexander's motion to dismiss the claims against

him for failure to state a claim is **GRANTED** without leave to amend; and the

Court further

**ORDERS** that the Clerk of the Court shall serve a copy of this Order on the

parties in accordance with the Local Rules.

IT IS SO ORDERED.

Dated: August 9, 2010

Syracuse, New York

Senior United States District Court Judge