

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

CHRISTOPHER WILLARD

Plaintiff,

vs.

9:07-CV-1156

**C.O. RAMSEY, Auburn Correctional Facility,
and SGT. VANFLEET, Auburn Correctional Facility**

Defendants.

APPEARANCES:

OF COUNSEL:

Christopher Willard
05-A-2161
Sing Sing Correctional Facility
354 Hunter Street
Ossining, New York 10562
Plaintiff, *Pro Se*

Hon. Andrew M. Cuomo
Attorney General for the State of New York
The Capitol
Albany, NY 12224
Counsel for Defendants

Megan M. Brown, Esq.
Assistant Attorney General

Norman A. Mordue, Chief U. S. District Judge

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed on the 9th day of February 2010. Following fourteen days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.

2. The defendants' motion for summary judgment (Dkt. No. 30) is granted and judgment is granted as to both defendants on all claims. The Clerk shall enter judgment accordingly.

3. The plaintiff's state law tort claims are dismissed without prejudice.

4. The Clerk of the Court shall serve a copy of this Order upon all parties and the

Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: March 2, 2010
Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge