

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ALONZO BROWN,

Plaintiff,

v.

No. 08-CV-105
(TJM/DRH)

DAME, Correction Officer,

Defendant.

THOMAS J. McAVOY,
Senior United States District Judge

DECISION & ORDER

I. INTRODUCTION

This *pro se* action brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. David R. Homer, 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 the Report-Recommendation and Order dated February 5, 2010 have been filed, and the time to do so has expired. Furthermore, after examining the record, this Court has determined that the Report-Recommendation and Order is not subject to attack for plain error or manifest injustice. Accordingly, the Court adopts the Report-Recommendation and Order for the reasons stated therein.

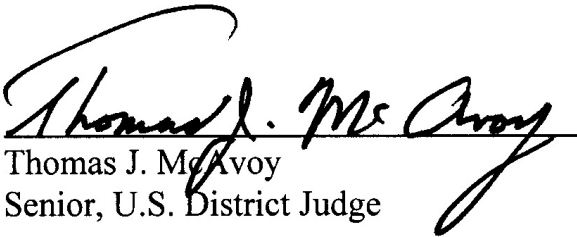
It is therefore,

ORDERED that Defendant's motion for summary (Docket No. 27) is **GRANTED**, and the claims in this action are **DISMISSED**. The Clerk of the Court is instructed to enter

judgment in favor of Defendant and to close the file in this matter.

IT IS SO ORDERED

DATED: March 3, 2010


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