

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

EDWARD BURGESS

Plaintiff,

v.

Civil Action No.
9:08-cv-725 (GLS/DRH)

GLENN CHAMPAGNE, Facility Health
Service Director; DR. CAHILL, Facility
Director; LOUISE TICHENOR, DR.; and
MR. BOYEA, Inmate Grievance Program
Supervisor,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

EDWARD BURGESS
Plaintiff *Pro Se*
524 Mellon Street
Pittsburgh, Pennsylvania 15206

FOR THE DEFENDANTS:

HON. ERIC T. SCHNEIDERMAN
Attorney General of the
State of New York
The Capitol
Albany, New York 12224-0341

MEGAN M. BROWN, ESQ.
Assistant Attorney General

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge David R. Homer, duly filed January 12, 2011. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge David R. Homer filed January 12, 2011 (Dkt. No. 48) is ACCEPTED in its entirety for the reasons state therein; and it is further

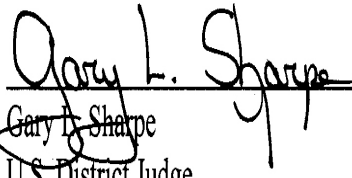
ORDERED, that defendants' motion for summary judgment (Dkt. No. 41) is GRANTED in all respects as to all remaining claims and defendants; and it is further

ORDERED, that the Clerk of the Court is directed to issue a judgment closing this case; and it is further

ORDERED, that the Clerk of the court serve a copy of this order upon the parties to this action.

IT IS SO ORDERED.

Dated: February 3, 2011
Albany, New York



Gary L. Sharpe
U.S. District Judge