

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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TALIV ALI,

Plaintiffs,

v.

08-CV-974

BRIAN FISCHER, Commissioner, Dept of  
Correctional services; RICHARD Roy, Inspector  
Gen., Dept. Of Correctional services;  
VERN FONDA, Dir. Of I.G., Dept.  
Of Correctional services; ROBERT K. WOOD,  
Superintendent of Upstate Correctional Facility;  
and STATE OF NEW YORK,

Defendants.

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THOMAS J. McAVOY  
United States District Judge

**DECISION and ORDER**

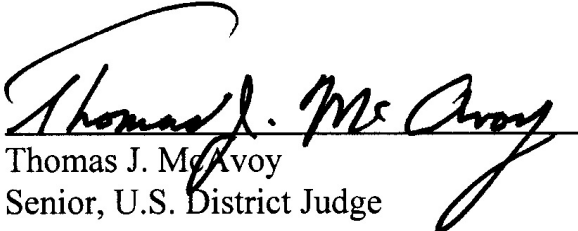
This Pro Se matter brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. Judge David R. Homer United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3 (c).

No objections to the July 28, 2009 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein.

It is, therefore, ORDERED that Defendants' motions to dismiss (Docket Nos. 17, 24) are GRANTED and Ali's complaint is DISMISSED in its entirety.

IT IS SO ORDERED.

Dated: September 28, 2009

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