

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

JOSE ALVARADO,

Plaintiff,

v.

**9:08-CV-1126
(TJM/GHL)**

**DR. S. RAMINENI, NEW YORK
STATE DEPARTMENT OF
CORRECTIONAL SERVICES,**

Defendants.

**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. George H. Lowe, 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 December 6, 2011 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.

II. CONCLUSION

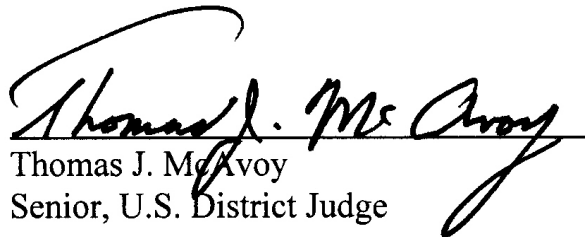
Accordingly, the Court **ADOPTS** the Report-Recommendation and Order for the

reasons stated therein. Therefore, it is hereby

ORDERED that Defendant's motion for summary judgment (Dkt. # 31) is
GRANTED and the Complaint is **DISMISSED**.

IT IS SO ORDERED

Dated: January 3, 2012


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