

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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MICHAEL L. DECKER,

Plaintiff,

- v -

9:09-CV-239

MICHAEL F. HOGAN, et al.,

Defendants.

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THOMAS J. McAVOY,  
Senior United States District Judge

**DECISION & ORDER**

This *pro se* action brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. Andrew T. Baxter, 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 dated June 16, 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 for the reasons stated therein.

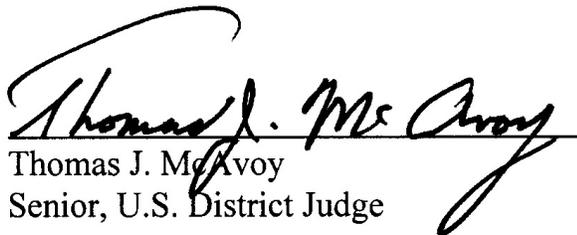
It is therefore,

**ORDERED** that Defendants' Motion to Dismiss (Dkt. No. 17) is **GRANTED** and the and the complaint is **DISMISSED FOR FAILURE TO NOTIFY THE COURT OF HIS CHANGE OF ADDRESS AND FOR FAILURE TO PROSECUTE**. The Clerk of the Court

is instructed to enter judgment in favor of Defendants and to close the file in this matter.

**IT IS SO ORDERED**

DATED: September 1, 2010

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