

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JAMAR SULLIVAN,

Plaintiff,

v.

09-CV-1311

HAROLD D. GRAHAM, Superintendent,
Auburn correctional Facility; T. HARTE,
Correctional Officer, Auburn Correctional
Facility; and SULLIVAN, Correctional
Officer, Auburn Correctional Facility,

Defendants.

THOMAS J. McAVOY
Senior United States District Judge

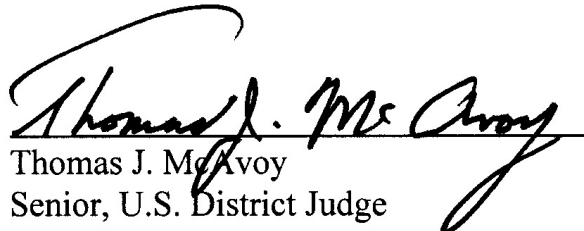
DECISION and ORDER

This matter brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. 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 August 4, 2011 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, the Court adopts the Report-Recommendation for the reasons stated herein.

It is, therefore, ORDERED that Defendants' motion for summary judgement is GRANTED and that the Complaint be DISMISSED IN ITS ENTIRETY.

IT IS SO ORDERED.

Dated: September 21, 2011


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