

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SELAM SELAH

Plaintiff,

-v.-

Civil Action No.  
9:09-cv-1363 (GLS/DEP)

BRIAN FISCHER, Commissioner; JUSTIN  
TAYLOR, Superintendent; KAREN BELLAMY,  
Director of DOCCS Inmate Grievance Program;  
T. KILLIAN, Senior Chaplain; MARK  
LEONARD, Director of Ministerial and  
Family Services; ABUNA FOXE, DOCCS  
Rastafarian Religious Advisor; CHERYL  
MORRIS, Director of Ministerial Services;  
FR. E. MANTZOURIS, Greek Orthodox  
Christian Chaplain; and New York DOCCS,

Defendants.

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APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

SELAM SELAH, *Pro Se*  
08-B-2266  
Clinton Correctional Facility  
P.O. Box 2002  
Dannemora, NY 12929

FOR DEFENDANTS:

HON. ERIC SCHNEIDERMAN  
Office of the Attorney General  
State of New York  
Department of Law  
The Capitol  
Albany, New York 12224

MEGAN M. BROWN, ESQ.  
Assistant Attorney General

GARY L. SHARPE,  
CHIEF JUDGE

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Dave E. Peebles, duly filed July 3, 2012. 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 E. Peebles filed July 3, 2012 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED that defendants' motion to dismiss plaintiff's complaint (Dkt. No. 111) is GRANTED, in part, and that his claims against the DOCCS be DISMISSED, but that the motion is DENIED in all other respects ; and it is further

ORDERED, that the Clerk of the Court is to serve a copy of this order upon the parties in accordance with the court's local rules.

IT IS SO ORDERED

Dated: July 27, 2012  
Albany, New York

  
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Gary L. Sharpe  
Chief Judge  
U.S. District Court