

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

TOUSSAINT DAVIS,

Plaintiff,

-vs-

9:10-CV-0081

TIMOTHY H. COWIN, Commissioner,

Defendant.

APPEARANCES:

OF COUNSEL:

TOUSSAINT DAVIS, pro se
Onondaga County Correctional Facility
P.O. Box 143
Jamesville, NY 13078

Onondaga County Department of Law
John H. Mulroy Civic Center
421 Montgomery Street, 10th Floor
Syracuse, NY 13202

CAROL L. RHINEHART, ESQ.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff brought this civil rights action pursuant to 42 U.S.C. § 1983. On August 12, 2011, the Honorable George H. Lowe, United States Magistrate Judge, advised, by Report-Recommendation, that defendant's motion for summary judgment pursuant to Federal Rule of Civil Procedure 56 be granted. No objections to the Report-Recommendation were filed.¹

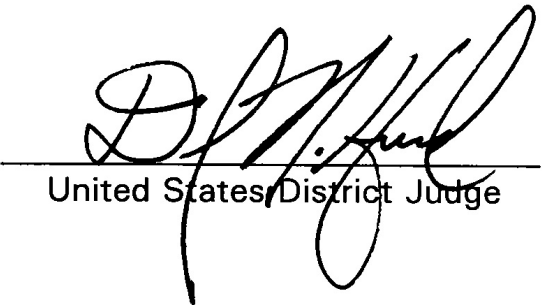
¹ Objections to the Report-Recommendation were due by August 26, 2011. On September 7, 2011, the undersigned was advised that plaintiff moved facilities. Per the Department of Corrections and
(continued...)

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C.

636(b)(1). Accordingly, it is

ORDERED that defendant's motion for summary judgment pursuant to Federal Rule of Civil Procedure 56 is GRANTED.

IT IS SO ORDERED.



United States District Judge

Dated: September 27, 2011
Utica, New York.

¹(...continued)

Community Supervision Inmate Locator, plaintiff may be housed at Clinton Correctional Facility. A Change of Address form was served on plaintiff by regular mail at Clinton Correctional Facility. As of September 26, 2011, plaintiff had not filed a change of address with the Court.