

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LEROY DORSEY,

Plaintiff,

No. 10-CV-1030

-v-

FRANK "DOE", Officer, 3-11 P.M. Shift;
S. GROOM, Officer, F-1 Company, 7-3, 8-4,
Great Meadow Correctional Facility; and
SERGEANT C.S. COLLINS,

Defendants.

APPEARANCES:

OF COUNSEL:

LEROY DORSEY
97-A-3442
Plaintiff Pro se
Elmira Correctional Facility
P.O. Box 500
Elmira, NY 14902

HON. ERIC T. SCHNEIDERMAN
Attorney General for the State of New York
Attorney for Defendants
The Capitol
Albany, NY 12224

KEITH A. MUSE, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Leroy Dorsey brought this action pursuant to 42 U.S.C. § 1983. On October 9, 2013, the Honorable Christian F. Hummel, United States Magistrate Judge, advised by Report-Recommendation that defendants' motion to dismiss be denied. No

objections to the Report-Recommendation were filed.¹

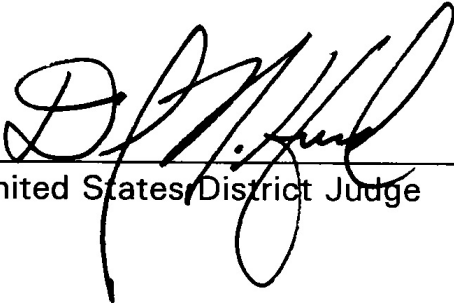
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

Defendants' motion to dismiss the complaint is DENIED.

IT IS SO ORDERED.



United States District Judge

Dated: November 19, 2013
Utica, New York.

¹ On October 24, 2013, defendants prematurely filed an answer to the complaint, prior to any ruling by the undersigned on Magistrate Judge Hummel's Report-Recommendation.