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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

THOMAS GOODSON,

Plaintiff,

9:10-CV-1049 (DNH/TWD)

VS.

"JOHN" PROVOSK, Correctional Officer, Clinton Correctional Facility; "JOHN" RIO, Correctional Officer, Clinton Correctional Facility; and L. LAVALLEY, Superintendent, Clinton,

Defendants.

APPEARANCES:

THOMAS GOODSON
Plaintiff, pro se
90-T-1254
Attica Correctional Facility
Box 149
Attica, NY 14011

HON. ERIC T. SCHNEIDERMAN New York State Attorney General Attorney for Respondent The Capitol Albany, NY 12224 CHRISTOPHER W. HALL, ESQ. Ass't Attorney General

DAVID N. HURD United States District Judge

## **DECISION and ORDER**

Plaintiff brought this civil rights action pursuant to 42 U.S.C. § 1983. On April 29, 2013, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, advised, by Report-Recommendation that defendants' motion for summary judgment be granted and the complaint be dismissed. Plaintiff timely filed objections to the Report-Recommendation.

Based upon a de novo review, the Report-Recommendation is accepted. <u>See</u> 28 U.S.C. § 636(b)(1).

Therefore, it is

## **ORDERED** that

- 1. Defendants' motion for summary judgment is GRANTED; and
- 2. The complaint is DISMISSED.

The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.

United States District Judge

Dated: June 6, 2013 Utica, New York.