

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JUAN ROSA,

Plaintiff,

-v-

9:10-CV-1313
(DNH/DRH)

DR. JACK KEISER M.D., Cayuga Correctional
Facility; D. STALLONE, Cayuga Correctional
Facility Superintendent; and T. NAPOLI, Cayuga
Correctional Facility I.G.P.S.,

Defendants.

APPEARANCES:

OF COUNSEL:

JUAN ROSA
Plaintiff Pro Se
05-A-4978
Elmira Correctional Facility
Post Office Box 500
Elmira, NY 14902

HON. ERIC T. SCHNEIDERMAN
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Attorney for Defendants
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DAVID L. COCHRAN, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff brought this action pursuant to 42 U.S.C. § 1983. On May 14, 2012, the Honorable David R. Homer, United States Magistrate Judge, advised, by Report-Recommendation, that defendants' motion to dismiss pursuant to Federal Rule of Civil

procedure 41(b) and Local Rule 41.2(b) be granted. No objections to the Report-Recommendation were filed.

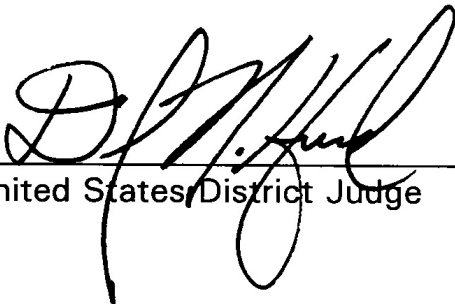
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. 636(b)(1).

Therefore it is

ORDERED that

Defendants' motion to dismiss is GRANTED and the complaint is DISMISSED in its entirety with prejudice.

IT IS SO ORDERED.



United States District Judge

Dated: June 13, 2012
Utica, New York.