

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

ANTONIO COLE,

Plaintiff,

-against-

9:11-CV-0004 (LEK/RFT)

PANG LAY KOOI, Doctor, Auburn  
Correctional Facility; *et al.*,

Defendants.

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**ORDER**

This matter comes before the Court following a Report-Recommendation filed on July 19, 2013, by the Honorable Randolph F. Treece, U.S. Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and Northern District of New York Local Rule 72.3(d). Dkt. No. 71 (“Report-Recommendation”).

Within fourteen days after a party has been served with a copy of a magistrate judge’s report-recommendation, the party “may serve and file specific, written objections to the proposed findings and recommendations.” FED. R. CIV. P. 72(b); L.R. 72.1(c). A court is to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b). Where, however, an objecting “party makes only conclusory or general objections, or simply reiterates his original arguments, [a court] reviews [a report-recommendation] only for clear error.” Farid v. Bouey, 554 F. Supp. 2d 301, 306 (N.D.N.Y. 2008) (quoting McAllan v. Von Essen, 517 F. Supp. 2d 672, 679 (S.D.N.Y. 2007)); see also Brown v. Peters, No. 95-CV-1641, 1997 WL 599355, at \*2-3 (N.D.N.Y. Sept. 22, 1997). “A [district] judge . . . may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

Plaintiff filed Objections to the Report-Recommendation on July 31, 2013. Dkt. No. 69 (“Objections”). In his Objections, Plaintiff states only that he objects to the Report-Recommendation in its entirety. Id. Such a broad, generalized objection warrants clear-error, rather than *de novo*, review. See Farid, 554 F. Supp. at 306. After a thorough review of the Report-Recommendation and the record, the Court determines that the Report-Recommendation is not clearly erroneous.

Accordingly, it is hereby:

**ORDERED**, that the Report-Recommendation (Dkt. No. 71) is **APPROVED** and **ADOPTED in its entirety**; and it is further

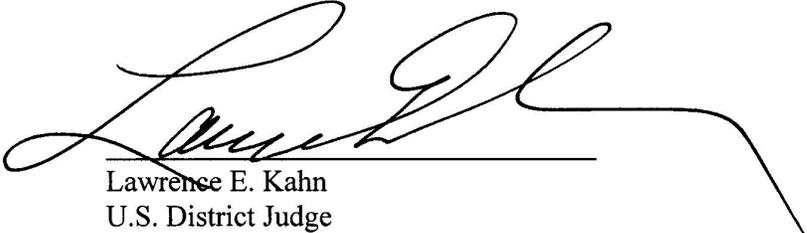
**ORDERED**, that Defendants’ Motion (Dkt. No. 61) for summary judgment is **GRANTED**; and it is further

**ORDERED**, that Plaintiff’s Complaint (Dkt. No. 1) is **DISMISSED**; and it is further

**ORDERED**, that the Clerk of the Court serve a copy of this Order upon the parties to this action.

**IT IS SO ORDERED.**

DATED: August 06, 2013  
Albany, New York



Lawrence E. Kahn  
U.S. District Judge