

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**BARTRAM YIHNI DABNEY,**

**Plaintiff,**

**v.**

**9:11 -CV-0273 (BKS/RFT)**

**DONALD SAWYER, *Executive Director;*  
*Marcy Mental Health Hospital, et. al.,***

**Defendants.**

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**APPEARANCES:**

**OF COUNSEL:**

**Bartram Yihni Dabney, *Plaintiff pro se*  
93-A-7310  
Mid-State Correctional Facility  
P.O. Box 2500  
Marcy, NY 13403**

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

**JAMES B. MCGOWAN  
Assistant Attorney General**

**HON. BRENDA K. SANNES, U. S. DISTRICT JUDGE**

**ORDER**

The above-captioned matter comes to this Court following a Report-Recommendation by Magistrate Judge Randolph F. Treece dated February 24, 2015. Magistrate Treece recommended that the defendants' motion for summary judgment (Dkt. No. 89) be granted in its entirety, and that the case be dismissed. No objections to the Report-Recommendation have been filed and the time for filing objections has expired.

This Court has reviewed the Report-Recommendation for clear error and found none.

Accordingly, it is hereby:

ORDERED that the Report-Recommendation (Dkt. No. 99) is ADOPTED in its entirety for the reasons stated therein; and it is further

ORDERED that the defendants' motion for summary judgment (Dkt. No. 89) is GRANTED in its entirety; and it is further

ORDERED that plaintiff's complaint (Dkt. No. 1) is DISMISSED; and it is further

ORDERED that the Clerk shall close this case; and it is further

ORDERED that the Clerk of the Court shall serve a copy of this Order upon all parties in accordance with the local rules.

**IT IS SO ORDERED.**

Dated: March 25, 2015  
Syracuse, New York



**Brenda K. Sannes**  
U.S. District Judge