

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

JUDGMENT IN A CIVIL CASE

ERNEST McWILLIAMS,

Plaintiff,

vs.

**9:12-cv-0747
(MAD/CFH)**

RYAN SIMMONS, Corrections Officer, Upstate Correctional Facility; NATHAN LIPKA, Corrections Officer, Upstate Correctional Facility, R. BILOW, Corrections Officer, Upstate Correctional Facility; BRADLEY CARR, Corrections Officer, Upstate Correctional Facility; K. ELSWORTH, Corrections Officer, Upstate Correctional Facility; PATRICIA WILLIAMS, Corrections Officer, Upstate Correctional Facility; ERIC MARSHALL, Corrections Officer, Upstate Correctional Facility; DAVID ROCK, Superintendent, Upstate Correctional Facility; BRIAN FISCHER, Commissioner of DOCCS; R.N.D. MAAS; R.N.M. TRAVERS; R.N. LELAND MARLOW; D. UHLER, Deputy Superintendent of Security,

Defendants.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED, that Magistrate Judge Hummel's May 14, 2014 Report-Recommendation and Order is **ADOPTED** in its entirety for the reasons stated therein; and the Court further **ORDERS** that Defendants' motion for summary judgment is **GRANTED in its entirety**; and the Court further **ORDERS** that Plaintiff's amended complaint is **DISMISSED**; and the Court further **ORDERS** that judgment is entered in Defendants' favor and this case is close, in accordance with the Order of the Honorable Judge Mae A. D'Agostino [Dkt. No. 103], dated the 24th day of June 2014.

DATED: June 24, 2014



Laurence H. Burton
Clerk of Court

s/ B. Norton
Britney Norton
Deputy Clerk