

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ANDRE R. LEVESQUE,

Plaintiff,

v.

9:12-CV-960
(DNH/CFH)

CVPH MEDICAL CENTER,

Defendant.

APPEARANCES:

OF COUNSEL:

ANDRE R. LEVESQUE
09857-082
Plaintiff, pro se
MCFP Springfield
Federal Medical Center
Inmate Mail/Parcels
P.O. BOX 4000
Springfield, MO 65801

STAFFORD, OWENS, PILLER, MURNANE,
KELLEHER & TROMBLEY, PLLC
Attorneys for Defendant
P.O. Box 2947
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Plattsburgh, NY 12901

JACQUELINE M. KELLEHER, ESQ.
JUSTIN R. MEYER, ESQ.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Andre R. Levesque brought this civil rights action pursuant to Title III of the Americans with Disabilities Act. On March 23, 2015, the Honorable Christian F. Hummel, United States Magistrate Judge, advised by Report-Recommendation that defendant's motion for summary judgment pursuant to Federal Rule of Civil Procedure 56 be granted and

the complaint be dismissed in its entirety as moot. Plaintiff timely filed objections to the Report-Recommendation and defendant responded to plaintiff's objections.

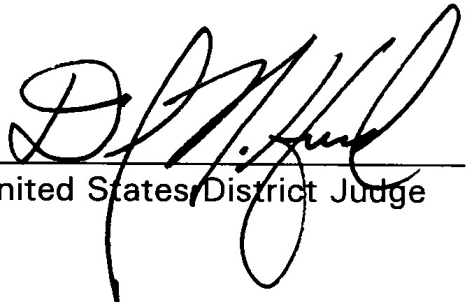
Based upon a de novo review of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Defendant CVPH Medical Center's motion for summary judgment is GRANTED;
2. Plaintiff's complaint is DISMISSED in its entirety; and
3. The Clerk is directed to serve a copy of this Decision and Order upon the parties in accordance with the Local Rules, enter judgment accordingly, and close the file.

IT IS SO ORDERED.


United States District Judge

Dated: April 10, 2015
Utica, New York.