

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

JAMES GARY FRANK,

*Plaintiff,*

-against-

MOSS; HRYCKO; WALTERS; JASNIEWSKI;  
MARQUART; MOORE,

*Defendants.*

**STIPULATION AND  
ORDER OF  
DISCONTINUANCE  
PURSUANT TO RULE  
41(A)**

12-CV-1428

FJS/DEP

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys of record for all parties to the above entitled-action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, the above-entitled action be and the same is hereby discontinued with prejudice on the merits, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of Court.

Dated: September 9, 2013

ERIC T. SCHNEIDERMAN  
Attorney General of the State of New York

By: Laura Sprague  
Laura Sprague  
Attorney for the Defendants  
The Capitol  
Albany, New York 12224-0341

JAMES FRANK  
plaintiff *pro se*

James H. Frank  
James Frank

SO ORDERED:

F. J. Scullin  
HON. Frederick J. Scullin  
Senior U.S. District Judge

September 10, 2013

Syracuse, New York