UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK	
WILFREDO ROSARIO -v	Plaintiff, Civil Action No. 9:12-cv-1506 (GLS/CFH)
CAPTAIN ANSON, Summit Shock Incarceration Facility, JOHN DOE #1, Facility Nurse, Summit Shock Incarceration Facility	Defendants.
APPEARANCES:	OF COUNSEL:
FOR THE PLAINTIFF:	
WILFREDO ROSARIO <i>Pro Se</i> 10947 Savannah Wood Court Orlando, Florida 32832	
FOR THE DEFENDANT:	
HON. ERIC T. SCHNEIDERMAN Attorney General for the State of New York The Capitol Albany, New York 12224	COLLEEN D. GALLIGAN, ESQ.
GARY L. SHARPE, CHIEF JUDGE	
ORDER	
The above-captioned matter comes to this court following a Report-	

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Recommendation by Magistrate Judge Christian F. Hummel, duly filed August 14, 2014. Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED that the Report-Recommendation of Magistrate Judge Christian F. Hummel filed August 14, 2014 (Dkt. No. 50) is ACCEPTED in its entirety for the reasons stated therein; and it is further

ORDERED that defendants' motion to dismiss (Dkt. No. 47) is DENIED; and it is further

ORDERED that the Clerk provide a copy of this Order upon the parties in accordance with the court's local rules.

IT IS SO ORDERED.

Dated: September 8, 2014 Albany, New York