

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DESMOND QUICK,

Plaintiff,

-v-

No. 9:12-CV-1529
(DNH/DEP)

JOHN QUINN, Lieutenant, Auburn Correctional
Facility; CHRIS NOVACK, Correctional Officer,
Auburn Correctional Facility; SEAN REILLY,
Correctional Officer, Auburn Correctional Facility;
and JOSEPH BANEY, Correctional Officer,
Auburn Correctional Facility,

Defendants.

APPEARANCES:

OF COUNSEL:

DESMOND QUICK
Plaintiff, pro se
03-B-1945
Marcy Correctional Facility
P.O. Box 3600
Marcy, NY 13403

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

RACHEL M. KISH, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Desmond Quick brought this civil rights action pursuant to 42 U.S.C. § 1983. On August 11, 2014, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that defendants' motion for partial summary

judgment dismissing plaintiff's claims against defendant Reilly be granted based upon lack of personal involvement. No objections to the Report-Recommendation were filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

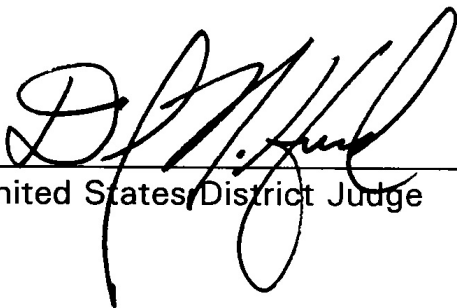
ORDERED that

1. Defendants' motion for partial summary judgment is GRANTED;
2. Plaintiff's claims against defendant Sean Reilly are DISMISSED;
3. This matter is referred back to Magistrate David E. Peebles for further

proceedings consistent with this Decision and Order; and

4. The Clerk is directed to serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

IT IS SO ORDERED.



United States District Judge

Dated: September 11, 2014
Utica, New York.