

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SHELTON BEAMAN,

Plaintiff,

-v-

No. 9:12-cv-1625  
(DNH/ATB)

BRUCE YELICH,  
Superintendent, Bare Hill Correctional Facility

Defendant.  
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APPEARANCES:

OF COUNSEL:

SHELTON BEAMAN  
Plaintiff, pro se

HON. ERIC T. SCHNEIDERMAN  
New York State Attorney General  
Attorney for Defendants  
The Capitol  
Albany, NY12224

ADRIENNE J. KERWIN, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se plaintiff Shelton Beaman brought this action pursuant to 42 U.S.C. § 1983. On March 21, 2014, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that defendant's motion to dismiss pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute be granted. 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

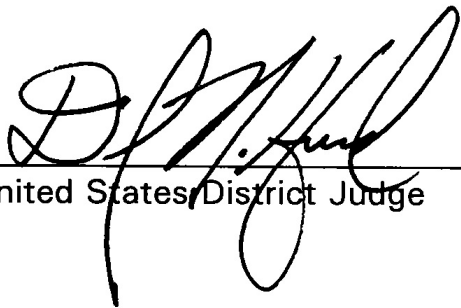
ORDERED that

1. Defendant's motion to dismiss pursuant to Fed. R. Civ. P. 41(b) is GRANTED;

and

2. Plaintiff's complaint is DISMISSED in its entirety.

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



United States District Judge

Dated: April 3, 2014  
Utica, New York.