

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DESMOND QUICK,

Plaintiff,

-v-

9:12-CV-1717
(DNH/ATB)

HAROLD GRAHAM,

Defendants.

APPEARANCES:

OF COUNSEL:

CHARLES W. GERENA
Plaintiff, *Pro se*
03-B-1945
Great Meadow Correctional Facility
Box 51
Comstock, NY 12821

New York State Attorney General
The Capitol
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COLLEEN D. GALLIGAN, ESQ.

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 January 8, 2016, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that defendant's motion for summary judgment be granted, and the complaint be dismissed in its entirety. See ECF No. 135. After receiving a final extension of time, plaintiff timely filed an objection. See ECF No. 146.

Based upon a de novo review of the Report-Recommendation, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

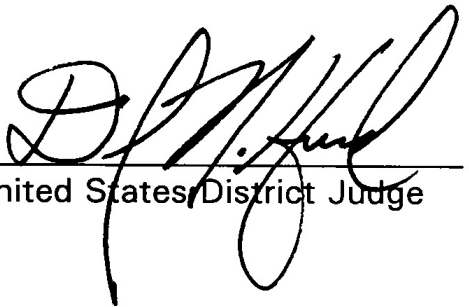
Therefore, it is ORDERED that:

1. Defendant's second motion for summary judgment is **GRANTED** (ECF No. 116), and the complaint is **DISMISSED IN ITS ENTIRETY**; and

2. The Clerk serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

The Clerk of the Court shall enter judgment and close this case.

IT IS SO ORDERED.



United States District Judge

Dated: March 30, 2016
Utica, New York