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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

JESSIE J. BARNES

Plaintiff,

-V.-

Civil Action No. 9:13-cv-164 (GLS/RFT)

BRIAN FISCHER et al.

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

JESSIE J. BARNES

Pro Se
09-B-2707

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GARY L. SHARPE, CHIEF JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Randolph F. Treece, duly filed September 22, 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
Randolph F. Treece filed September 22, 2014 (Dkt. No. 185) is ACCEPTED
in its entirety for the reasons stated therein; and it is further

ORDERED that Defendants' Partial Motion to Dismiss (Dkt. No. 94) is DENIED; and it is further

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

IT IS SO ORDERED.

Dated: October 15, 2014

Albany, New York