

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

GERALD L. HURST,

9:13-CV-0681
(DNH/RFT)

Plaintiff,

-v-

MR. SEARLES, Lieutenant, F.C.I. Ray Brook;
MR. DEGON, Lieutenant, F.C.I. Ray Brook; MR.
HALLADAY, Correctional Officer, F.C.I. Ray
Brook; MR. GODFREY, Correctional Officer,
F.C.I. Ray Brook; and MR. HUMPHRIES,
Correctional Officer, F.C.I. Ray Brook,

Defendants.

APPEARANCES:

OF COUNSEL:

GERALD L. HURST
Plaintiff, Pro Se
64336-053
Cumberland Federal Correctional Institution
Inmate Mail/Parcels
P.O. Box 1000
Cumberland, MD 21501

THE HON. RICHARD S. HARTUNIAN
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Northern District of New York
Attorney for Defendants
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Syracuse, NY 13261

CHARLES E. ROBERTS, ESQ.
Ass't United States Attorney

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Gerald Hurst brought this action pursuant to 42 U.S.C. § 1983. On July 29, 2014, the Honorable Randolph F. Treece, United States Magistrate Judge, advised by Report-Recommendation that defendants' motion for summary judgment be granted and plaintiff's complaint be dismissed. Plaintiff timely filed objections to the Report-Recommendation.

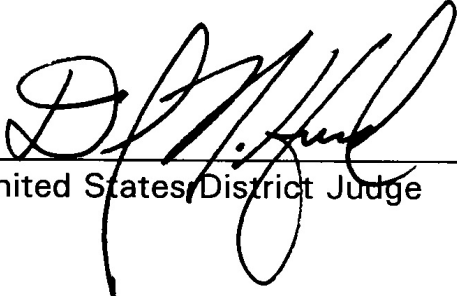
Based upon a de novo review of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Defendants' motion for summary judgment is GRANTED;
2. Plaintiff's complaint is DISMISSED in its entirety; and
3. 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: August 26, 2014
Utica, New York.