

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHARLES W. GERENA,

Plaintiff,

-v-

9:13-CV-953
(DNH/ATB)

NICK PEZDEK, et al.,

Defendants.

APPEARANCES:

CHARLES W. GERENA
Plaintiff, *Pro se*

TIMOTHY P. MULVEY, ESQ.
Asst. Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Charles W. Gerena brought this civil rights action pursuant to 42 U.S.C. § 1983. On December 8, 2015, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that defendants' motion for summary judgment be granted, and the complaint be dismissed in its entirety. See ECF No. 77.

Plaintiff submitted objections to the Report-Recommendation. See ECF No. 80.

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

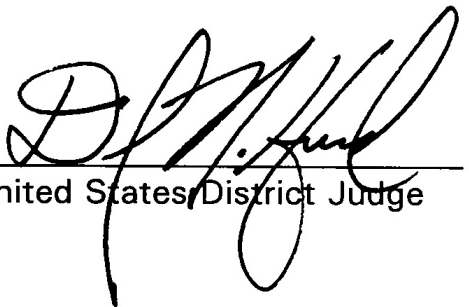
Therefore, it is ORDERED that:

1. Defendants' motion for summary judgment is **GRANTED**, 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: December 30, 2015
Utica, New York