

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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DOUGLAS YOUNG,

Plaintiff,

-v-

No. 9:13-CV-999  
(DNH/RFT)

C.O. M. MONINGTON,

Defendant.

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APPEARANCES:

OF COUNSEL:

DOUGLAS YOUNG, 06-A-4095  
Plaintiff pro se  
Wende Correctional Facility  
P.O. Box 1187  
Alden, NY 14004

HON. ERIC T. SCHNEIDERMAN  
Attorney General for the State of New York  
Attorney for Defendant  
The Capitol  
Albany, NY 12224

GREGORY J. RODRIGUEZ, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

### **DECISION and ORDER**

Pro se plaintiff Douglas Young brought this civil rights action pursuant to 42 U.S.C. § 1983. On June 16, 2014, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, advised by Report-Recommendation that defendant's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) be granted and plaintiff's complaint be dismissed without prejudice. No objections to the Report-Recommendation were filed.

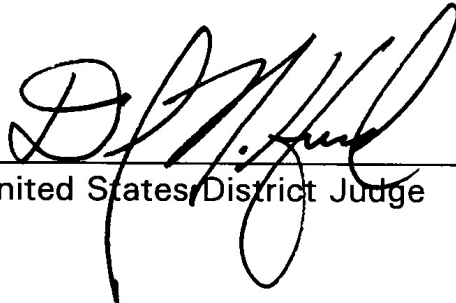
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Defendant's motion to dismiss is GRANTED; and
2. Plaintiff's complaint is DISMISSED without prejudice.

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: July 8, 2014  
Utica, New York.