

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

FREDERICK McMILLIAN,

Plaintiff,

vs.

**9:13-CV-1124
(TJM/ATB)**

THE COUNTY OF ONONDAGA, et al.,

Defendants.

**THOMAS J. McAVOY,
Senior United States District Judge**

DECISION & ORDER

I. INTRODUCTION

This *pro se* action brought pursuant to 42 U.S.C. § 1983 was referred to the Hon. Andrew T. Baxter, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c). No objections to Magistrate Judge Baxter's Order and Report-Recommendation [dkt. # 56] have been filed, and the time to do so, including an extension granted by the Court, has expired.

II. DISCUSSION

After examining the record, this Court has determined that the Order and Report-Recommendation is not subject to attack for plain error or manifest injustice.

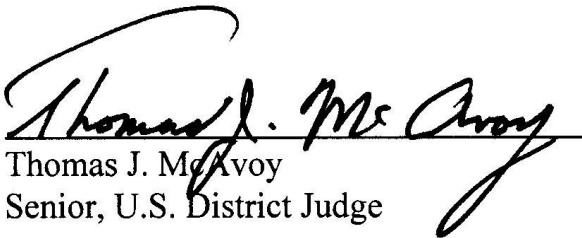
III. CONCLUSION

Accordingly, the Court **ADOPTS** the Order and Report-Recommendation [dkt. # 56] for the reasons stated therein. The defendants' motion for summary judgment [dkt. #. 36]

is **GRANTED**, and the complaint is **DISMISSED** IN ITS ENTIRETY AS AGAINST THE
REMAINING DEFENDANTS.

IT IS SO ORDERED.

Dated: March 26, 2015


Thomas J. McAvoy
Senior, U.S. District Judge