

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

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**KAYLIN WILLIAMS,**

**Plaintiff,**

**v.**

**No. 9:14-CV-437  
(TJM/CFH)**

**PAUL W. CHAPPIUS, Superintendent,  
Elmira Correctional Facility, et al.,**

**Defendants.**

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**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. Christian F. Hummel, 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 Hummel's Report-Recommendation and Order [dkt. # 29] have been filed, and the time to do so has expired.

**II. DISCUSSION**

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

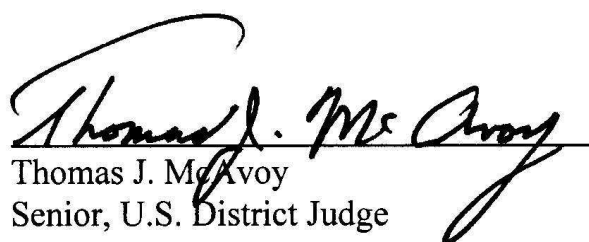
**III. CONCLUSION**

Accordingly, the Court **ADOPTS** the Report-Recommendation and Order [dkt. # 29]

for the reasons stated therein. Defendants' motion for summary judgment [dkt. # 27] on Plaintiff's amended complaint [dkt. # 10] is **GRANTED** and Plaintiff's amended complaint is **DISMISSED without prejudice** for Plaintiff's failure to exhaust his administrative remedies pursuant to 42 U.S.C. § 1997e(a).

**IT IS SO ORDERED.**

Dated: December 21, 2015

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