

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ANTHONY SANDERS,

Plaintiff,

v.

9:14-CV-0574
(DNH/ATB)

HUGES, Sergeant,

Defendant.

APPEARANCES:

OF COUNSEL:

ANTHONY SANDERS
Plaintiff, pro se, 13-A-1242
Wyoming Correctional Facility
P.O. Box 501
Attica, New York 14011

HON. ERIC T. SCHNEIDERMAN
Office of the Attorney General - Albany
Counsel for Defendant
The Capitol
Albany, New York 12224

Colleen D. Galligan, Esq.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Anthony Sanders filed this action on May 14, 2014. On August 19, 2015, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that defendant's motion for partial summary judgment pursuant to Federal Rule of Civil Procedure 56 be granted. 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).

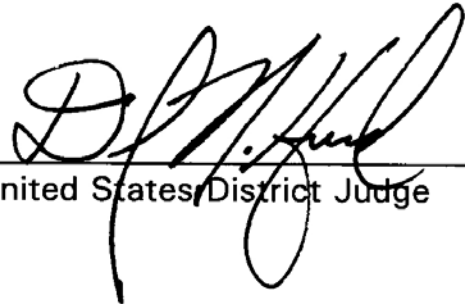
Therefore, it is

ORDERED that

1. Defendant's motion for partial summary judgment (ECF No. 25) is GRANTED;
2. Plaintiff's first and second causes of action are DISMISSED;
3. Plaintiff's third cause of action remains for trial; and
4. The Clerk 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: September 24, 2015
Utica, New York.