

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SHAMEL WRIGHT,

Plaintiff,

-v-

9:14-CV-1041
(DNH/TWD)

ROWLAND POTTER, MICHAEL BARKMAN,
JAMES THOMSEN, C.O. JOHN DOE #1,
C.O. JOHN DOE #2 AND SGT. JOHN DOE,

Defendants.

APPEARANCES:

OF COUNSEL:

SHAMEL WRIGHT
Plaintiff, *Pro Se*
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Schenectady, NY 12304

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

RYAN E. MANLEY, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

AMENDED DECISION and ORDER

Pro se plaintiff Shamel Wright brought this civil rights action pursuant to 42 U.S.C. § 1983. On June 28, 2016, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, advised by Report-Recommendation that defendant James Thomsen's motion for summary judgment pursuant to Federal Rule of Civil Procedure 56 be granted, and that he be dismissed from this action. See ECF No. 33. Plaintiff has not filed timely objections.

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

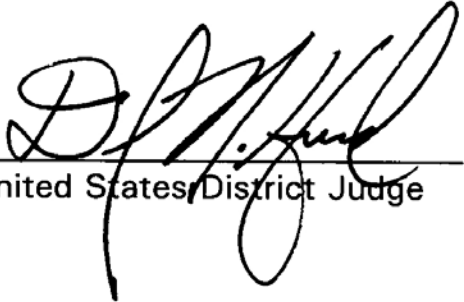
Therefore, it is ORDERED that:

1. Defendant James Thomsen's motion for summary judgment (ECF No. 30) is **GRANTED**;

2. All claims against defendant James Thomsen are **DISMISSED** and he is terminated from this action. The causes of action against the remaining defendants will continue; and

3. 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 21, 2016
Utica, New York