

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JESSE J. MILLER,

Plaintiff,

-v-

9:14-CV-1351
(DNH/CFH)

DR. SUBBARAO RAMINENI, RN WAYNE
VISALLR, OFFICER WIGGINS, OFFICER
BARKER, JOHN DOE #1-13,

Defendant.

APPEARANCES:

OF COUNSEL:

JESSE J. MILLER

Plaintiff, pro se

12-B-0543

Fishkill Correctional Facility

P.O. Box 1245

Beacon, NY 12508

HON. ERIC T. SCHNEIDERMAN

New York State Attorney General - Albany

Attorneys for Defendant

The Capitol

Albany, NY 12224

NICOLE E. HAIMSON, ESQ.

Ass't Attorney General

DAVID N. HURD

United States District Judge

DECISION and ORDER

Pro se plaintiff Jesse J. Miller brought this civil rights action pursuant to 42 U.S.C. § 1983. On February 29, 2016, the Honorable Christian F. Hummel, United States Magistrate Judge, advised by Report-Recommendation that defendant's motion to dismiss the complaint

for failure to state a claim be granted, and the complaint be dismissed in its entirety. See ECF No. 27. Neither party timely filed 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).

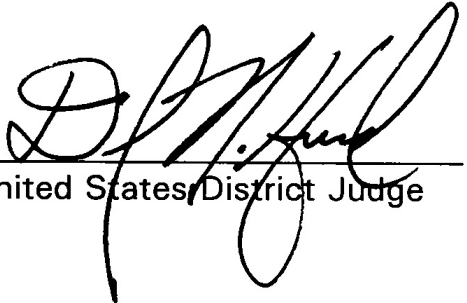
Therefore, it is ORDERED that:

1. Defendant's motion to dismiss is **GRANTED**, and the complaint is **DISMISSED IN ITS ENTIRETY**; and

2. The Clerk serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

The Clerk of the Court shall enter judgment and close this case.

IT IS SO ORDERED.



United States District Judge

Dated: March 29, 2016
Utica, New York