

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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TOWAUN COLEMAN,

Plaintiff,

v.

9:15-CV-40  
(TJM/ATB)

STEVEN RACETTE, *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. 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 January 17, 2017 Report-Recommendation [dkt. # 53] 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 is not subject to attack for plain error or manifest injustice.

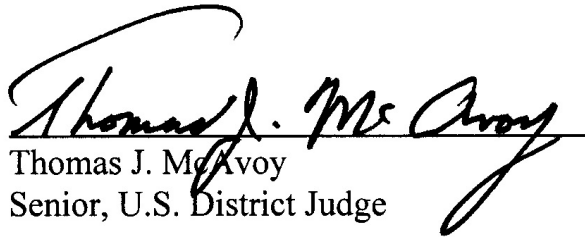
**III. CONCLUSION**

Accordingly, the Court **ADOPTS** the Report-Recommendation [dkt. #53] for the

reasons stated therein. The defendants' motion for summary judgment [dkt. # 50] is  
**DENIED.**

**IT IS SO ORDERED.**

Dated: June 14, 2017

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