

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SHANE HYATT,

Plaintiff,

-v-

9:15-CV-89
(DNH/DJS)

DAVID A. ROCK, Former Superintendent of Upstate Correctional Facility; JAMES SPINNER, JR., Lieutenant, Upstate Correctional Facility; J. HEBERT, JR., Corrections Sergeant, Upstate Correctional Facility; MICHAEL J. EDDY, Corrections Sergeant, Upstate Correctional Facility; DAVID BICKFORD, Former Corrections Sergeant, Upstate Correctional Facility; TIMOTHY RAMSDELL, Corrections Officer, Upstate Correctional Facility; TIMOTHY ARQUITT, Corrections Officer, Upstate Correctional Facility; BETSY MITCHELL-ODDEY, Corrections Officer, Upstate Correctional Facility; BRIAN M. FOURNIER, Corrections Officer, Upstate Correctional Facility; CASEY B. KEATING, Corrections Officer, Upstate Correctional Facility; JAMIE J. WILLETT, Corrections Officer, Upstate Correctional Facility; RONALD LAROCQUE, Corrections Officer, Upstate Correctional Facility; ADAM C. RIPA, Corrections Officer, Upstate Correctional Facility; DAVID GREENE, Corrections Officer, Upstate Correctional Facility; WAYNE PALMER, Corrections Officer, Upstate Correctional Facility; and SCOTT D. LAMARE, Corrections Officer, Upstate Correctional Facility,

Defendants.

APPEARANCES:

SHANE HYATT

Plaintiff pro se

05-A-4430

Five Points Correctional Facility

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Ass't Attorney General

DAVID N. HURD

United States District Judge

DECISION and ORDER

Pro se plaintiff Shane Hyatt brought this civil rights action pursuant to 42 U.S.C. § 1983. On February 16, 2018, the Honorable Daniel J. Stewart, United States Magistrate Judge, advised by Report-Recommendation that defendant Rock's motion for summary judgment be granted and all claims against him be dismissed. Plaintiff filed timely objections to the Report-Recommendation.

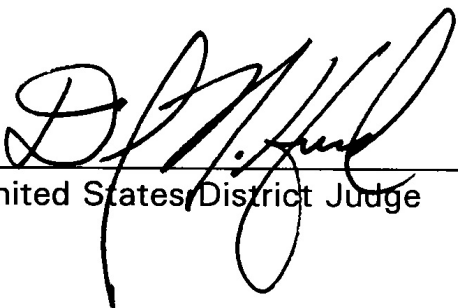
Based upon a de novo review of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

Defendant David A. Rock's motion for summary judgment is GRANTED and the amended complaint is DISMISSED as against him.

IT IS SO ORDERED.



United States District Judge

Dated: March 23, 2018
Utica, New York.