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UNITED STATES DISTRICT COUF	₹T
NORTHERN DISTRICT OF NEW Y	ORK

DRAMANE FOFANA,

Plaintiff,

-VS-

9:15-CV-188

CAPTAIN H. MOSS, et al.,

Defendants.

Thomas J. McAvoy, United States District Judge

DECISION and ORDER

This matter was referred to the Hon. Thérèse Wiley Dancks, United States

Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and

Rule 72.3(d) of the Local Rules of the Northern District of New York. No objections to the

March 4, 2016 Report-Recommendation have been raised. After examining the record,
this Court has determined that the Report-Recommendation is not subject to attack for
plain error or manifest injustice. Accordingly, this Court adopts the Report
Recommendation and Order for the reasons stated therein.

Accordingly, the Report and Recommendation of Magistrate Judge Wiley Dancks, dkt. # 25, is hereby **ADOPTED**, and Defendants' motion for summary judgment, dkt. # 20, is hereby **DENIED**.

IT IS SO ORDERED.

Dated:March 29, 2016

Thomas J. Markvoy

Senior, U.S. Bistrict Judge