

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ARRELLO BARNES,

Plaintiff,

**9:15-cv-777
(GLS/DEP)**

v.

KENNETH MCMEIGHAN et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Arrello Barnes
Pro Se
00-A-0597
Shawangunk Correctional Facility
P.O. Box 700
Wallkill, NY 12589

FOR THE DEFENDANT:

HON. ERIC T. SCHNEIDERMAN
New York State Attorney General
The Capitol
Albany, NY 12224

COLLEEN D. GALLIGAN
Assistant Attorney General

Gary L. Sharpe
Senior District Judge

ORDER

On September 22, 2017, Magistrate Judge David E. Peebles filed a

Report and Recommendation (R&R), which recommends that plaintiff *pro se* Arello Barnes' second amended complaint be accepted for filing, but that certain claims and defendants be dismissed. (Dkt. No. 76.) Pending before the court are Barnes' objections. (Dkt. No. 77.)

Barnes' objections, consisting of just a handful of sentences, are general and merit review for clear error only. *See Almonte v. N.Y.S. Div. of Parole*, No. Civ. 904CV484, 2006 WL 149049, at *5-*6 (N.D.N.Y. Jan. 18, 2006). After careful consideration of the R&R and Barnes' general objections to it, the court finds no clear error and adopts the R&R, (Dkt. No. 76), in its entirety.

Accordingly, it is hereby

ORDERED that the Report and Recommendation (Dkt. No. 76) is **ADOPTED** in its entirety; and it is further

ORDERED that Barnes' second amended complaint (Dkt. No. 72) is accepted for filing; and it is further

ORDERED that the fourth, seventh, and ninth causes of action asserted in the second amended complaint (Dkt. No. 72) are **DISMISSED WITH PREJUDICE**; and it is further

ORDERED that defendants Borowski, Janora, Waters, Bell,

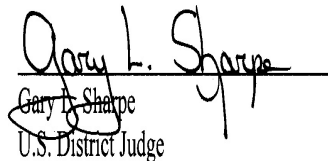
Narkiewicz, West, and Frazier are **DISMISSED** from this action; and it is further

ORDERED that the following claims may proceed: (1) Fourteenth Amendment procedural due process claim against defendants Coveny, Whitford, and McKeighan; (2) First Amendment free speech claim against defendants Ollies and Mahuta; (3) First Amendment free exercise claim against Mahuta; and (4) Fourteenth Amendment procedural due process claims against defendants Annucci and Venetozzi in their supervisory capacities; and it is further

ORDERED that the clerk provide a copy of this Order to the parties in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

October 19, 2017
Albany, New York


Gary L. Sharpe
U.S. District Judge