

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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RODNEY WILLIAMS,

Plaintiff,

v.

9:15-CV-0988  
(GTS/DJS)

CASIMO FERRARI, Physician,  
Bare Hill Corr. Fac., f/k/a Ferrari Casimo,

Defendant.

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APPEARANCES:

OF COUNSEL:

RODNEY WILLIAMS, 10-A-3938  
Plaintiff, *Pro Se*  
Livingston Correctional Facility  
P.O. Box 91  
Sonyea, New York 14556

HON. ERIC T. SCHNEIDERMAN  
New York State Attorney General  
Counsel for Defendants  
615 Erie Boulevard West, Suite 102  
Syracuse, New York 13204

DENNIS P. BUCKLEY, ESQ.  
*Assistant Attorney General*

GLENN T. SUDDABY, Chief United States District Judge

**DECISION and ORDER**

Currently before the Court, in this *pro se* prisoner civil rights action filed by Rodney Williams (“Plaintiff”) against the above-captioned employee of the New York State Department of Corrections (“Defendant”), are (1) Defendant’s motion for summary judgment seeking dismissal of Plaintiff’s Complaint for failure to state a claim, and (2) United States Magistrate Judge Daniel J. Stewart’s Report-Recommendation recommending that Defendant’s motion for

summary judgment be granted and that Plaintiff's Amended Complaint be dismissed. (Dkt. Nos. 106, 129.) None of the parties have filed objections to the Report-Recommendation, and the deadline by which to do so has expired. (*See generally* Docket Sheet.)

After carefully reviewing the relevant papers herein, including Magistrate Judge Stewart's thorough Report-Recommendation, the Court can find no clear-error in the Report-Recommendation.<sup>1</sup> Magistrate Judge Stewart employed the proper standards, accurately recited the facts, and reasonably applied the law to those facts. As a result, the Report-Recommendation is accepted and adopted in its entirety for the reasons set forth therein, Defendant's motion for summary judgment is granted, and Plaintiff's Amended Complaint is dismissed in its entirety.

**ACCORDINGLY**, it is

**ORDERED** that Magistrate Judge Stewart's Report-Recommendation (Dkt. No. 129) is

**ACCEPTED** and **ADOPTED** in its entirety; and it is further

**ORDERED** that Defendant's motion for summary judgment (Dkt. No. 106) is

**GRANTED**; and it is further

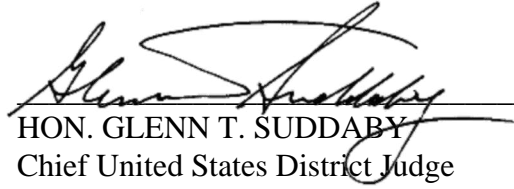
**ORDERED** that Plaintiff's Amended Complaint (Dkt. No. 69) is **DISMISSED** in its entirety; and it is further

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<sup>1</sup> When no objection is made to a report-recommendation, the Court subjects that report-recommendation to only a clear error review. Fed. R. Civ. P. 72(b), Advisory Committee Notes: 1983 Addition. When performing such a "clear error" review, "the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Id.*; *see also* *Batista v. Walker*, 94-CV-2826, 1995 WL 453299, at \*1 (S.D.N.Y. July 31, 1995) (Sotomayor, J.) ("I am permitted to adopt those sections of [a magistrate judge's] report to which no specific objection is made, so long as those sections are not facially erroneous.") (internal quotation marks omitted).

**ORDERED** that the Clerk of Court shall enter Judgment for Defendant and close this action.

Dated: March 6, 2018  
Syracuse, New York

  
HON. GLENN T. SUDDABY  
Chief United States District Judge