

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

VLADIMIR LEMITE,

Plaintiff,
-v-

9:15-cv-1230
(DNH/DJS)

ROBERT SEHLMAYER, Correction Officer,

Defendant.

APPEARANCES:

VLADIMIR LEMITE
Plaintiff pro se
Last Known Address:
645 South 7th Avenue
Mount Vernon, New York 10550

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

CHRISTOPHER J. HUMMEL, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Vladimir Lemite brought this action pursuant to 42 U.S.C. § 1983.

On June 13, 2017, the Honorable Daniel J. Stewart, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(b). The Report-Recommendation sent to plaintiff by certified mail was returned to the court as undeliverable. No objections to the Report-Recommendation have been received.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

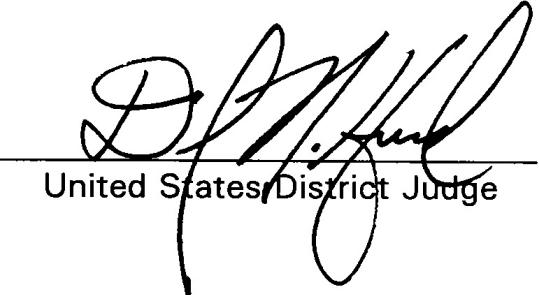
Therefore, it is

ORDERED that

Plaintiff's complaint is DISMISSED without prejudice.

The Clerk is directed to file judgment accordingly and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: July 5, 2017
Utica, New York.