

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LAMONT WILLIAMS,

Plaintiff,

v.

9:16-CV-613
(GTS/DEP)

C.O. BADOLATO,

Defendant.

APPEARANCES:

OF COUNSEL:

LAMONT WILLIAMS

Plaintiff, *Pro Se*

15 Endicott Ave, Apt. #7

Johnson City, New York 13790

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 Lamont Williams (“Plaintiff”) against the above-captioned employee of the New York State Department of Corrections and Community Supervision (“Defendant”), is United States Magistrate David E. Peebles’ Report-Recommendation recommending that Plaintiff’s Complaint be dismissed in its entirety for failure to comply with an Order of the Court pursuant to Fed. R. Civ. P. 41(b). (Dkt. No. 19.) Plaintiff has not filed an Objection to the Report-Recommendation, and the deadline in which to do so has expired. (*See generally* Docket Sheet.) After carefully reviewing the relevant papers herein, including Magistrate Judge Peebles’ thorough Report-Recommendation, the Court can find no clear-error in the Report-Recommendation.¹ Magistrate Judge Peebles

¹ 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

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. (Dkt. No. 19, at Part II.)

ACCORDINGLY, it is

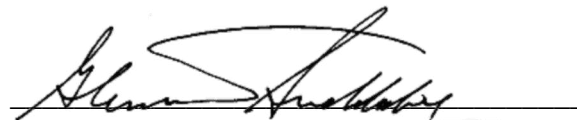
ORDERED that Magistrate Judge Peebles' Report-Recommendation (Dkt. No. 19) is

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

ORDERED that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED**; and it is further

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

Dated: November 17, 2016
Syracuse, New York


HON. GLENN T. SUDDABY
Chief United States District Judge

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).