

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PAUL STEPHANSKI,

Plaintiff,

-v-

9:16-CV-1155
(DNH/DJS)

DALE ARTUS, Superintendent, Clinton
Correctional Facility; CAPT. STEVEN
RACETTE, Dept of Security, Clinton
Correctional Facility; STEPHEN LACY,
Captain, Clinton Correctional Facility; and
RAYMOND FURNIA, Sargent, Clinton
Correctional Facility,

Defendants.

APPEARANCES:

OF COUNSEL:

PAUL STEPHANSKI
Plaintiff pro se
99-B-2439
Mid-State Correctional Facility
P.O. Box 2500
Marcy, NY 13403

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

COLLEEN D. GALLIGAN, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Paul Stephanski brought this civil rights action pursuant to 42 U.S.C. § 1983. On August 11, 2017, the Honorable Daniel J. Stewart, United States Magistrate Judge, advised by Report-Recommendation that defendants' motion to dismiss be granted,

plaintiff's motion to amend be denied, and that the complaint be dismissed in its entirety. No objections to the Report-Recommendation were filed.

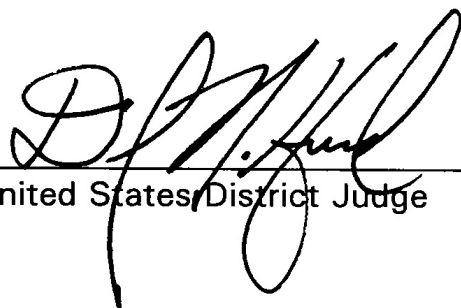
Based upon a de novo review of the Report-Recommendation, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Defendants' motion to dismiss is GRANTED;
2. Plaintiff's motion to amend is DENIED;
3. Plaintiff's complaint is DISMISSED in its entirety; and
4. The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: September 21, 2017
Utica, New York.