

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DEREK A. HEYLIGER,

Plaintiff,

-v-

9:17-CV-912
(DNH/DEP)

ANDREW CYMBRAK, in his individual capacity as Correctional Officer, Clinton Correctional Facility, formerly known as A. Cymbrak; CHRISTOPHER LAGREE, in his individual capacity as Correctional Officer, Clinton Correctional Facility, formerly known as C. Lagree; KYLE GUYNUP, in his individual capacity as Correctional Officer, Clinton Correctional Facility, formerly known as Kile Guynup; A. MUSSEN, in his individual capacity as Correctional Officer, Clinton Correctional Facility; KEVIN WILCOX, in his individual capacity as Correctional Officer, Clinton Correctional Facility, formerly known as K. Wilcox; LIAM MAHONEY, in his individual capacity as Correctional Officer, Clinton Correctional Facility, formerly known as L. Maloney; WILLIAM PERRY, in his individual capacity as Correctional Officer, Clinton Correctional Facility; LAFOUNTAIN, in his individual capacity as Correctional Officer, Clinton Correctional Facility; ANTHONY ANNUCCI, in his individual capacity as DOCCS CORC Acting Commissioner of Corrections; KAREN BELLEMY, in her individual capacity as DOCCS CORC Director Inmate Grievance Program; CATHERINE LEAHY SCOTT, in her individual capacity as New York State Inspector General; CHARLES SIMPSON, in his individual capacity as DOCCS CORC Inmate Grievance Coordinator; JASON EFFMAN, in his individual capacity as DOCCS CORC Inmate Grievance Program Coordinator; REBECCA LOREN, in her individual capacity as DOCCS CORC Inmate Grievance Program Coordinator,

Defendants.

APPEARANCES:

DEREK A. HEYLIGER
Plaintiff pro se
12-B-0269
Attica Correctional Facility
Box 149
Attica, NY 14011

HON. LETITIA JAMES
Attorney General for the State of New York
Attorney for Defendants
The Capitol
Albany, NY 12224

WILLIAM A. SCOTT, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Derek A. Heyliger brought this civil rights action pursuant to 42 U.S.C. § 1983. On December 20, 2018, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that defendant Scott's motion to dismiss be denied. No objections to the Report-Recommendation have been filed.

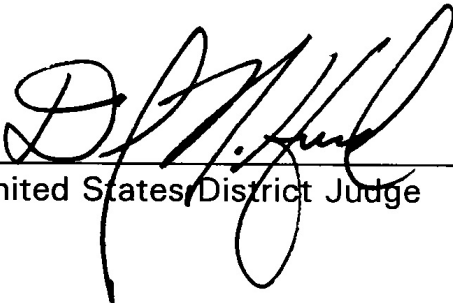
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

Defendant Scott's motion to dismiss the claims against her is DENIED.

IT IS SO ORDERED.



United States District Judge

Dated: February 13, 2019
Utica, New York.