

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHAEL A. DEMUTH,

Plaintiff,

-v-

9:18-CV-807
(DNH/ATB)

C.O. COWLEY, Correctional Officer, Chenango
County Correctional Facility,

Defendant.

APPEARANCES:

OF COUNSEL:

MICHAEL A. DEMUTH
Plaintiff, Pro Se
19-B-1439
Collins Correctional Facility
P.O. Box 340
Collins, NY 14034

OFFICE OF FRANK W. MILLER
Attorney for Defendant
6575 Kirkville Road
East Syracuse, NY 13057

FRANK W. MILLER, ESQ.

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Michael A. Demuth brought this civil rights action pursuant to 42 U.S.C. § 1983. On October 3, 2019, the Honorable Andrew T. Baxter, United States Magistrate Judge, advised by Report-Recommendation that defendant’s motion for summary judgment be granted and that plaintiff’s Amended Complaint be dismissed in its entirety. No

objections to the Report-Recommendation have been filed.

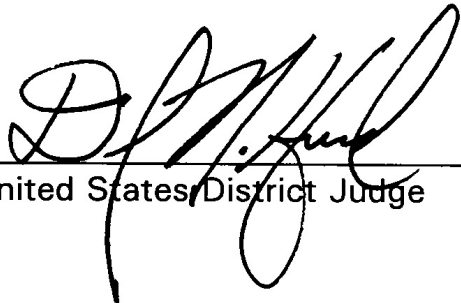
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. Defendant's motion for summary judgment is GRANTED;
2. Plaintiff's Amended Complaint is DISMISSED; and
3. The Clerk is directed to enter judgment accordingly and close the file.

IT IS SO ORDERED.



United States District Judge

Dated: January 6, 2020
Utica, New York.