

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ROBERT DEREK LURCH, JR.,

Plaintiff,

-v-

9:19-CV-895

AARON JONES *et al.*,

Defendants.

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APPEARANCES:

OF COUNSEL:

Robert Derek Lurch, Jr.  
Plaintiff, Pro Se  
4412001916  
George R. Vierno Center  
09-09 Hazen Street  
East Elmhurst, NY 11370

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

MARK G. MITCHELL, ESQ.  
Ass't Attorney General

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Pro se plaintiff Robert Derek Lurch, Jr. ("plaintiff") filed this action alleging that defendants violated his civil rights while he was in the custody of the New York State Department of Corrections and Community Supervision. On December 8, 2020, U.S. Magistrate Judge Daniel J. Stewart advised by Report & Recommendation that defendants'

motion for summary judgment be granted and that plaintiff's amended complaint be dismissed. Dkt. No. 59. Plaintiff has not filed an objection.

Upon review for clear error, the Report & Recommendation is accepted and adopted in all respects. See FED. R. CIV. P. 72(b).

Therefore, it is

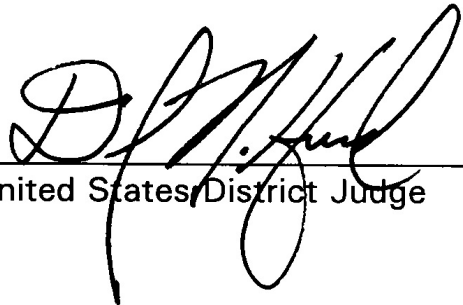
ORDERED that

1. Defendants' motion for summary judgment is GRANTED; and
2. Plaintiff's amended complaint is DISMISSED.

The Clerk of the Court is directed to serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

IT IS SO ORDERED.

Dated: February 4, 2021  
Utica, New York.



United States District Judge