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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
WILLIAM VARELA,

Plaintiff,

-against-

CRAIG DEMMON, et al.

Defendants.
-----X

05 Civ. 6079 (SHS)
ORDER

SIDNEY H. STEIN, U.S. District Judge.

Defendants in this section 1983 prisoner civil rights litigation have moved for partial summary judgment, seeking dismissal of plaintiff's First Amendment retaliation claims as raised against all defendants. On June 19, 2009 Magistrate Judge Gabriel W. Gorenstein issued a Report addressing that motion and recommending that it be granted with respect to defendants Eric Hahn, Paul Riccione, Michael Mrzyglod, Robert Wahlquest, and Thomas LaPier, but denied with respect to defendant Craig Demmon. To date, no party has filed objections or responses to that Report and Recommendation.

Despite the lack of any objections, the Court has nonetheless conducted de novo review of the Report and Recommendation, see 28 U.S.C. § 636(b)(1)(B and C), and adopts it in its entirety. Accordingly, and for the reasons set forth in that Report, IT IS HEREBY ORDERED that, with respect to plaintiff's First Amendment retaliation claim

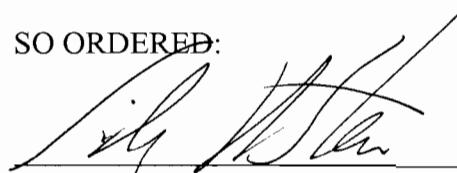
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only, summary judgment is granted for defendants Hahn, Riccione, Mrzyglod,
Wahlquist, and LaPier, and denied for defendant Demmon.

Dated: New York, New York
July 17, 2009

SO ORDERED:



Sidney H. Stein, U.S.D.J.