

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ANTHONY D. AMAKER,
and
RUHULLAH HIZBULLAH,

Plaintiffs,

v.

ORDER
06-CV-490A

COMMISSIONER GLENN S. GOORD,
et al.,

Defendants.

GEORGE FLUELLEN,

Plaintiff,

V.

COMMISSIONER GLENN S. GOORD, et al.,

Defendants.

The above-referenced case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(B). On August 8, 2013, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that plaintiff Anthony Amaker's motion to expunge from his record any of the disciplinary charges obtained in violation of his rights under the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA") and the First Amendment to the United States Constitution [Dkt. No. 300], be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, plaintiff Anthony Amaker's motion to expunge from his record any of the disciplinary charges obtained in violation of his rights under RLUIPA and the First Amendment [Dkt. No. 300] is granted.

The case is referred back to Magistrate Judge Schroeder for further proceedings.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: August 27, 2013