

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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JOHN LEE CORTRIGHT, JR.,

Plaintiff,

v.

DECISION AND ORDER  
13-CV-865A

STEVEN BELLOMA, et al.,

Defendants.

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This case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On July 22, 2016, Magistrate Judge Scott filed a Report and Recommendation (Dkt. No. 66), recommending that defendant Snyder's motion to dismiss or for summary judgment (Dkt. No. 35) be granted.

On August 15, 2016 and November 17, 2016, the plaintiff filed objections to the Report and Recommendation. Dkt. Nos. 70 and 79. Defendant Snyder filed a response on December 5, 2016. Dkt. No. 80.

Given the complexity of the record in this case, it is difficult to determine whether (or to what extent) the plaintiff responded to the defendant's motion in proceedings before Judge Scott. The Court therefore assumes for purposes of this Decision and Order that the plaintiff did, in fact, respond to the defendant's motion in proceedings before Judge Scott, and that the plaintiff has filed proper objections to Judge Scott's Report and Recommendation. Thus, pursuant to 28 U.S.C. §636(b)(1), this Court must review *de novo* those portions of Magistrate Judge Scott's Report and Recommendation to which objections have been made. Upon *de novo* review, and

after reviewing the submissions from the parties, the Court adopts Magistrate Judge Scott's recommended conclusions. Accordingly, it is hereby

**ORDERED**, that defendant Snyder's motion to dismiss or for summary judgment is granted.

The Clerk of the Court shall take all steps necessary to close this case.

IT IS SO ORDERED.

*Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: May 23, 2017