

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

---

SHAWN WOODWARD,

Plaintiff,

v.

DECISION AND ORDER  
14-CV-856A

MUSLIM CHAPLAIN AFIFY; OFFICER  
RAFFTY; OFFICER T. SEWALT; OFFICER  
CORSI; OFFICER OTTO; SENIOR  
COUNSELOR LIVERMORE; OFFICER  
ACKERMAN; P. CHAPPIUS; SARGENT  
KRAUSE,

Defendants.

---

---

This case was referred to Magistrate Judge Michael J. Roemer pursuant to 28 U.S.C. § 636(b)(1)(B). On March 21, 2017, Magistrate Judge Roemer filed an Order (Dkt. No. 87) finding that the defendants have fully complied with his January 23, 2017 Decision and Order, which instructed the defendants to file additional submissions in response to plaintiff's motions to compel discovery (Dkt. Nos. 53 and 63). The plaintiff has now filed an objection to Judge Roemer's Order. Dkt. No. 92.

A magistrate judge's non-dispositive orders, such as the one at issue here, "may [be] reconsider[ed] . . . where it has been shown that the . . . order is clearly erroneous or contrary to law." 28 U.S.C. §636(b)(1)(A). *See also Sealed Plaintiff No. 1 v. Sealed Defendant No. 1*, 221 F.R.D. 367, 368 (N.D.N.Y. 2004) ("Magistrate judges are given broad discretion with respect to discovery disputes which should not be overruled absent a showing of clear abuse of discretion.") Upon such review, and after reviewing

the record and the submissions from the parties, the Court affirms Judge Roemer's Order.

In addition, the plaintiff's procedural argument is without merit, *see Caidor v. Onodaga Cnty.*, 517 F.3d 601, 605 (2d Cir. 2008), and his argument concerning unpublished cases has no bearing on whether Judge Roemer's decision was clearly erroneous or contrary to law.

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

IT IS SO ORDERED.

s/Richard J. Arcara  
HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: August 25, 2017