

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 January 23, 2017, Magistrate Judge Roemer filed a Decision and Order (Dkt. No. 73) granting in part and denying in part plaintiff's motions to compel discovery (Dkt. Nos. 53 and 63) and for subpoenas duces tecum (Dkt. No. 52). In addition, Magistrate Judge Roemer denied plaintiff's motion for sanctions. The plaintiff has appealed Judge Roemer's Decision and Order. Dkt. No. 79.

A magistrate judge's non-dispositive orders, such as those 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 submissions from the parties, the Court affirms Judge Roemer's Order.

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

IT IS SO ORDERED.

Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: April 25, 2017