

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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BRIAN JOHN KARRIS,

Plaintiff,

v.

**DECISION AND ORDER**

15-CV-190-A

MR. RODABAUGH, GTP Instructor,

Defendant.

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This case was referred to Magistrate Judge Leslie G. Foschio pursuant to 28 U.S.C. § 636(b)(1) for the conduct of pretrial proceedings. On November 1, 2017, Magistrate Judge Foschio filed a Report and Recommendation (Dkt. No. 40) recommending that Defendant's motion for summary judgment (Dkt. No. 34) be granted, and that Plaintiff's Complaint be dismissed.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and no objections to the Report and Recommendation having been timely filed, it is hereby

**ORDERED**, pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, Defendant's motion for summary judgment is granted, and plaintiff's Complaint is dismissed.

The Clerk of Court shall enter Judgment in favor the Defendant and take all

steps necessary to close the case.

**IT IS SO ORDERED.**

*Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: January 22, 2018