

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

MELVIN LAVON VIRGIL,
Plaintiff

-vs-

DECISION and ORDER

ERIE COUNTY MEDICAL CENTER, *et al.*,

10-CV-6479-CJS-MWP

Defendants

Siragusa, J. This case was referred to U.S. Magistrate Judge Marion W. Payson pursuant to 28 U.S.C. § 636(b)(1), on August 1, 2011, for issuance of a Report and Recommendation on Plaintiff's motion to amend, ECF NO. 20, May 31, 2011, and Plaintiff's second motion to amend, ECF No. 40, Oct. 21, 2011. On December 14, 2011, Judge Payson filed a Report and Recommendation recommending that the Court grant Plaintiff's motions in part and deny them in part. The Report and Recommendation notified counsel that any objections needed to be filed within fourteen days of the decision. The fourteenth day was Wednesday, December 28, 2011. As of January 5, 2012, no objections have been filed.

Accordingly, the Court adopts Judge Payson's Report and Recommendation in full.

IT IS SO ORDERED.

Dated: January 13, 2012
Rochester, New York

ENTER:

/s/ Charles J. Siragusa
CHARLES J. SIRAGUSA
United States District Judge