

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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JAMES R. DUNCAN,

Plaintiff,

DECISION AND ORDER

16-CV-6328L

v.

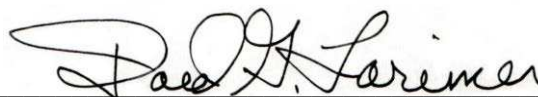
JAMES E. CROWELL, et al.,

Defendants.

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United States Magistrate Judge Marian W. Payson filed a Decision and Order and Report and Recommendation (Dkt. #14). The Report and Recommendation recommended denying plaintiff's motion for a ruling in his favor as premature. No objection to that Report and Recommendation has been filed. Therefore, the Court adopts the Magistrate Judge's Report and Recommendation and denies plaintiff's motion (Dkt. #12).

IT IS SO ORDERED.



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DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
December 22, 2016.