

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SANTOS ARROYO,

Plaintiff,

vs.

No. 9:08-CV-61
(J. Scullin)

DR. GEORGE STURTZ,

Defendant.

APPEARANCES:

OF COUNSEL

SANTOS ARROYO,
Plaintiff Pro Se
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Attorney for Respondent
The Capitol
Albany, NY 12224

ROGER W. KINSEY, ESQ.
Assistant Attorney General

FREDERICK J. SCULLIN, JR., S.J.

DECISION AND ORDER

Currently before the Court is Magistrate Judge Gustave J. DiBianco's Report-Recommendation filed August 31, 2009 to which the parties have filed no objections. Accordingly, the Court having reviewed that Report and Recommendation and the entire file in this matter, the Court hereby

ORDERS that the Report-Recommendation of Magistrate Judge Gustave J. DiBianco filed August 31, 2009 is **ACCEPTED** in its entirety, for the reasons stated therein, and the Court further

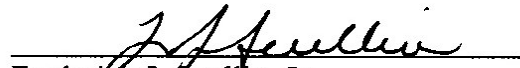
ORDERS that defendant's motion for summary judgment is **GRANTED**, and the Court further

ORDERS that the complaint is **DISMISSED IN ITS ENTIRETY**, and the Court further

ORDERS that the Clerk of the Court is to enter judgment in favor of the defendant and close this case.

IT IS SO ORDERED.

Dated: September 29, 2009
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge