

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MARK D. AMBROSE,

Plaintiff,

v.

5:14-MC-0005
(GTS/ATB)

UNITED STATES DEPARTMENT OF
JUSTICE, TAX DIVISION,

Defendant.

APPEARANCES:

OF COUNSEL:

MARK D. AMBROSE

Plaintiff, *Pro Se*

7199 Chestnut Ridge Road

Auburn, New York 13021

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

Currently before the Court, in this *pro se* miscellaneous action filed by Mark Ambrose (“Plaintiff”) against the United States Department of Justice (“Defendant”), is United States Magistrate Judge Andrew T. Baxter’s Report-Recommendation recommending that Plaintiff’s Motion for an Order to Show Cause be denied and this action dismissed in its entirety, without prejudice, to Plaintiff’s filing a proper civil action supported by a complaint under Freedom of Information Act (with the \$400 filing fee or an *in forma pauperis* application documenting his financial inability to pay the fee). (Dkt. No. 3.) Plaintiff has filed no Objection to the Report-Recommendation, and the deadline by which to do so has expired. (*See generally* Docket Sheet.) After carefully reviewing the relevant filings in this action, the Court can find no clear error in the Report-Recommendation: Magistrate Judge Baxter employed the proper legal

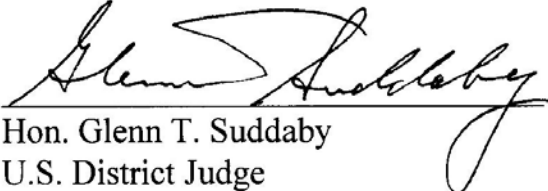
standards, accurately recited the facts, and reasonably applied the law to those facts. As a result, the Court accepts and adopts the Report-Recommendation for the reasons stated therein. (Dkt. No. 3.)

ACCORDINGLY, it is

ORDERED that Magistrate Judge Baxter's Report-Recommendation (Dkt. No. 3) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

ORDERED that Plaintiff's Motion for an Order to Show Cause (Dkt. No. 1) is **DENIED** and this action **DISMISSED** without prejudice to Plaintiff's filing a proper civil action supported by a complaint.

Dated: July 22, 2014
Syracuse, New York


Hon. Glenn T. Suddaby
U.S. District Judge