

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WILLIAM PROSPER, MALIK FARMER,
KENNETH FREDERICK, FELIX VASQUEZ,
DAQUAN WALKER, JOSE RODRIGUEZ,
ASHANTE CALLENDER, EDWIN VALDEZ,
KUMAR SINGH, LUIS PACHECO, and LAMEL
CARTER,

Plaintiffs,

-against-

CITY OF NEW YORK, Police Commissioner
RAYMOND KELLY, Police Capt. SCOTT
HENDERSON, Dep. Insp. JOHN H. BAMBURY,
And police officers LOUIS G. MORSELLI,
EDWARD PASZEL, DILSON ABREU, MICHAEL
McCREADY, JARED E. SANTANGELO, EDWIN
LaPORTE, JOSEPH RISO, and JOHN DOEs ONE
through TWELVE, names being fictitious, true names
being unknown to plaintiffs, persons intended being
supervisors and officers present at, and involved in,
the arrest of plaintiffs,

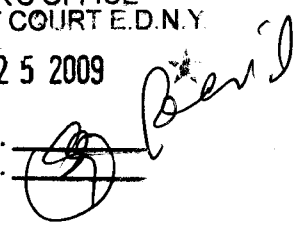
Defendants.
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MEMORANDUM AND ORDER

08-CV-3269-ENV-RLM

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JUN 25 2009

P.M.
TIME A.M. 

VITALIANO, D.J.

Plaintiffs commenced this action by the filing of a complaint on August 14, 2008. The case was assigned to Magistrate Judge Roanne L. Mann. On May 14, 2009, the Court so ordered a Stipulation and Order of Settlement and Dismissal terminating the action as to all plaintiffs except Malik Farmer. On May 19, 2009, Judge Mann issued a Report and Recommendation recommending that the Court dismiss Farmer's claims with prejudice for failure to prosecute and for violating an order of the Court. No objections to Magistrate Judge Mann's Report and Recommendation have been filed.

In reviewing a Report and Recommendation, this court "may accept, reject, or modify, in



whole or in part, the findings and recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Moreover, in order to accept a magistrate judge’s Report and Recommendation where no timely objection has been made, the “court need only satisfy itself that there is no clear error on the face of the record.” Urena v. New York, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (quoting Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)).

After careful review of the docket and the record below, the Court finds Magistrate Judge Mann’s Report and Recommendation as to the appropriate disposition of this action to be correct, comprehensive, well-reasoned, and free of any clear error. The Court, therefore, adopts the Report and Recommendation in its entirety as the opinion of the Court. Accordingly, for all the foregoing reasons, the claims of the sole remaining plaintiff, Malik Farmer, are dismissed with prejudice.

The Clerk of the Court is directed to close this case.

SO ORDERED.

Dated: Brooklyn, New York
June 24, 2009

ERIC N. VITALIANO
United States District Judge