

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ALEKSANDR LEVCHENKO and VICTOR
LEVCHENKO,

Plaintiffs,

-against-

MERS, ANTHONY MAZILLO, JAMES JOHNSON,
DEUTSCHE NATIONAL TRUST COMPANY,
AMERICAN BROKERS CONDUIT, AMERICAN
HOME MORTGAGE SERVICING, INC.,
AMERICAN HOME MORTGAGE CORP.,
AMERICAN HOME MORTGAGE INVESTMENT
CORP., INVESCO LTD., INVESCO PRIVATE
CAPITAL, WL ROSS, WL ROSS & CO., LCC,
FIRST LIBERTY ABSTRACT, LCC, FEIN, SUCH
& CRANE LLP, V.S. VILKHU, ESQUIRE,
NATIONAL CITY BANK, PNC BANK, and JOHN
DOES 1-9,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

Plaintiffs Aleksandr Levchenko and Victor Levchenko (the “Levchenkos”), pro se, bring an action under the Truth in Lending Act, 15 U.S.C. § 1601. (Complaint (Docket Entry # 1).) The Levchenkos name a plethora of defendants who they accuse of failing to comply with the Truth in Lending Act regarding a mortgage on their home. (Id.) On June 28, 2010, Magistrate Judge Lois Bloom ordered the Levchenkos to properly serve all Defendants by August 20, 2010, or risk dismissal of their action. (Docket Entry # 12.) On August 20, 2010, the Levchenkos requested that the U.S. Marshal’s Service serve process on Defendants. (Docket Entry # 14.) Judge Bloom denied the Levchenkos’ request, but granted them an extension of time until October 1, 2010 to file proofs of service. (Docket Entry # 15.) On October 15, 2010, having received no

notice from the Levchenkos indicating that Defendants had been properly served, Judge Bloom issued a Report and Recommendation, recommending that the court dismiss the action without prejudice against all Defendants except for National City Bank and PNC Bank, who had filed a motion to dismiss on September 9, 2010. (“R&R” (Docket Entry # 18).)

No party has objected to Judge Bloom’s R&R, and the time to do so has passed. See Fed. R. Civ. P. 72(b)(2). Having reviewed Judge Bloom’s R&R, the court adopts it in its entirety. See, e.g., Brown v. Ebert, No. 05-CV-5579 (DLC), 2006 U.S. Dist. LEXIS 94265, at *6 (S.D.N.Y. Dec. 29, 2006) (where no party objects to a magistrate judge’s report and recommendation, review is for “clear error”). Accordingly, the court dismisses Plaintiffs’ action against all Defendants, without prejudice, except for National City Bank and PNC Bank. The court directs the Clerk of the Court to change the docket of this case to reflect the dismissal of the several Defendants.

SO ORDERED.

Dated: Brooklyn, New York
November 5, 2010

s/Nicholas G. Garaufis

NICHOLAS G. GARAUFIS
United States District Judge