

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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FABIO RAMOS-CERDA,

Plaintiff,

ORDER DISMISSING CASE

- against -

11-CV-2695 (RRM) (LB)

CITY OF NEW YORK, CORRECTION  
OFFICER WILLIE YOUNG, CAPTAIN  
MCKENZIE, CORRECTION OFFICER  
JUAKENNIA ROSS, CAPTAIN GERMAIN  
TURNBALL, CAPTAIN LILLIAN BENBOW,  
and JOHN and JANE DOES 1-10,  
Defendants.

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ROSLYNN R. MAUSKOPF, United States District Judge.

By the March 15, 2013 Report and Recommendation (“R&R”), Magistrate Judge Lois Bloom recommends that plaintiff Fabio Ramos-Cerda’s action against the City of New York and various correction officers be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (Doc. No. 12.) Judge Bloom reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due by April 1, 2013. No party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). As Judge Bloom noted, plaintiff has ignored multiple deadlines set by the Court regarding discovery and has failed to take any action despite the discovery deadline having passed nearly a year and a half ago. Moreover, plaintiff has failed to serve or file proof of service of the amended complaint notwithstanding the Court’s order to do so. Despite the Court’s repeated warnings that plaintiff’s case would be dismissed if he failed to move the case forward, plaintiff has failed to take action. Nor has

plaintiff filed any objection to the magistrate judge's recommendation that the action be dismissed.

For the reasons stated herein, and in Judge Blooms Report and Recommendation, the amended complaint is DISMISSED with prejudice for plaintiff's failure to prosecute. The Clerk of the Court is directed to enter judgment accordingly, and close this case.

SO ORDERED.

Dated: Brooklyn, New York  
April 4, 2013

*Roslynn R. Mauskopf*  
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ROSLYNN R. MAUSKOPF  
United States District Judge