

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROBERT SOLOMON and JANE B.
SOLOMON, *pro se*,

Plaintiffs,

-against-

MELVIN J. KALISH, THE LAW OFFICES OF:
MELVIN J. KALISH, PLLC, and MANATT,
PHELPS AND PHILLIPS, LLC,

Defendants.

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SUMMARY ORDER ADOPTING
REPORT AND RECOMMENDATION
13-CV-5140 (DLI)(SMG)

DORA L. IRIZARRY, U.S. District Judge:

Plaintiffs, Robert and Jane B. Solomon, filed this action, *pro se*, seeking to relitigate issues previously decided in earlier, related cases among plaintiffs, defendants, and other non-parties arising from a failed business venture. Plaintiffs seek leave to proceed *in forma pauperis*. (*See* Plaintiffs' IFP Applications, Dkt. Entry Nos. 2, 3.) Their applications are granted for the sole purpose of this Order. On September 27, 2013, Chief United States Magistrate Judge Steven M. Gold issued a Report and Recommendation ("R&R"), recommending that the Court dismiss this action as frivolous pursuant to 28 U.S.C. § 1915. (*See* R&R, Dkt. Entry No. 5.) Plaintiffs filed timely objections to the R&R. (*See* Plaintiffs' Objections, Dkt. Entry No. 9.)

When a party objects to a R & R, a district judge must make a *de novo* determination with respect to those portions of the R & R to which the party objects. *See* FED. R. CIV. P. 72(b); *United States v. Male Juvenile*, 121 F. 3d 34, 38 (2d Cir. 1997). If, however, a party makes conclusory or general objections, or attempts to relitigate the party's original arguments, the court will review the R & R for clear error. *Robinson v. Superintendent, Green Haven*

Correctional Facility, 2012 WL 123263, at *1 (E.D.N.Y. Jan. 17, 2012) (quoting *Walker v. Vaughan*, 216 F. Supp. 2d 290, 292 (S.D.N.Y. 2002)). The district court may then “accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b); *see also* 28 U.S.C. § 636(b)(1).

The Court has carefully considered each of plaintiffs’ objections to the R&R. Upon review of the characteristically thorough, thoughtful, and well-reasoned R&R of Chief Magistrate Judge Gold, the Court hereby adopts the R&R in its entirety. Accordingly, this action is dismissed as frivolous under 28 U.S.C. § 1915.

CONCLUSION

Upon due consideration, the R&R is adopted in its entirety. The complaint is dismissed as to all defendants. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and, therefore, *in forma pauperis* status is denied for purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: Brooklyn, New York
July 24, 2014

/s/

DORA L. IRIZARRY
United States District Judge