

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SHAWANDA MEDINA,

Plaintiff,

MEMORANDUM AND ORDER

-against-

16-cv-2569 (FB) (CLP)

NATIONAL RECOVERY AGENCY,
INC.,

Defendant.

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*Appearances:**For Plaintiff:*

EDWARD B. GELLER
Edward B. Geller, Esq., P.C.
15 Landing Way
Bronx, NY 10464

BLOCK, Senior District Judge:

On October 4, 2016, Magistrate Judge Cheryl L. Pollack issued a Report and Recommendation (“R&R”) recommending that plaintiff’s case be dismissed for failure to prosecute. No objections have been filed to date, and plaintiff’s opportunity to object has passed.

Where there are no objections, the Court may adopt the R&R without de novo review. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) (“Where parties receive clear notice of the consequences, failure timely to object to a magistrate’s report and recommendation operates as a waiver of further judicial review of the magistrate’s decision.”). The Court

must conduct de novo review if it appears that the magistrate judge may have committed plain error. *See Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000). No such error appears here. Accordingly, the Court adopts the R&R without de novo review and dismisses plaintiff's case for failure to prosecute.

SO ORDERED.

/S/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
January 4, 2016