

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.
★ MAY 01 2018 ★

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
BRADLEY GOTTFRIED,

BROOKLYN OFFICE

Plaintiff,

**ORDER ADOPTING REPORT
AND RECOMMENDATION**
17-cv-5210 (AMD) (LB)

-against-

U.S. DEPARTMENT OF STATE,

Defendant.

-----X
Ann M. Donnelly, United States District Judge:

On September 5, 2017, the plaintiff, Bradley Gottfried, commenced this action against the defendant, U.S. Department of State. (ECF No. 1.) On October 12, 2017, the plaintiff filed an amended complaint. (ECF No. 7.) On December 5, 2017, United States Magistrate Judge Lois Bloom issued an order directing the plaintiff to file proof of service by December 15, 2017, or show good cause why he had not served the defendant in a timely way. (ECF No. 8.) On January 8, 2018, the plaintiff served the summons and amended complaint on an agency paralegal. (ECF No. 9.) On April 16, 2018, Judge Bloom issued a Report and Recommendation in which she recommended that the plaintiff's action be dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. (ECF No. 10.) No objections have been filed to the Report and Recommendation, and the time for doing so has passed. (ECF No. 10.)

In reviewing an R&R, a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Where, as here, no party has objected to the magistrate judge's recommendation, "a district 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)).

I have carefully reviewed Judge Bloom's well-reasoned Report and Recommendation for clear error and find that there is none. Accordingly, I adopt the Report and Recommendation in its entirety. The action is dismissed without prejudice pursuant to Rule 4(m).

SO ORDERED.

s/Ann M. Donnelly

Ann M. Donnelly
United States District Judge

Dated: Brooklyn, New York
May 1, 2018