

**FILED**  
IN CLERK'S OFFICE  
US DISTRICT COURT E.D.N.Y.  
★ FEB 15 2018 ★  
BROOKLYN OFFICE

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

-----X  
ANTHOULA MITILINIOS,

Plaintiff,

-against-

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**  
17-CV-5306 (AMD) (SMG)

COSTCO WHOLESALE CORPORATION,

Defendant.

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

On September 12, 2016, the plaintiff Anthoula Mitilinos commenced this action in New York Supreme Court, Kings County, against the defendant Costco Wholesale Corporation, for personal injuries sustained as a result of Costco’s alleged negligence. (ECF No. 1-2.) On September 11, 2017, the defendant removed the case to this Court. (ECF No. 1.) On October 11, 2017, the plaintiff moved to remand the case. (ECF No. 6-9.) The defendant opposed the plaintiff’s motion on November 3, 2017, and the plaintiff filed her reply on November 7, 2017. (ECF Nos. 8-9.)

On January 31, 2018, Magistrate Judge Steven M. Gold recommended that I grant the plaintiff’s motion and remand the action to the Supreme Court of the State of New York for Kings County. (ECF No. 10.) Judge Gold ordered the parties to file objections to the Report and Recommendation by February 14, 2018. To date, no objections have been filed.

In reviewing a Report and Recommendation, 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). 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 Gold’s thorough and well-reasoned opinion and find no error. Accordingly, I adopt Judge Gold’s Report and Recommendation in its entirety and grant the plaintiff’s motion for remand. The Clerk of the Court is directed to remand the case to the Supreme Court of the State of New York for Kings County.

**SO ORDERED.**

s/Ann M. Donnelly

Ann M. Donnelly

United States District Judge

Dated: Brooklyn, New York  
February 15, 2018