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LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
TAMICKA GRAHAM,

Plaintiff,

-against-

RJM ACQUISITION LLC,

Defendant.

-----X

ORDER

11-CV- 4682 (SJF)(AKT)

FEUERSTEIN, District Judge:

On September 19, 2011, pro se plaintiff Tamicka Graham (“plaintiff”) commenced this action against the defendant, RJM Acquisition LLC (“defendant”), alleging, inter alia, violations of the Fair Credit Reporting Act and the Fair Debt Collection Practices Act.

Presently before the Court is the Report and Recommendation (the “Report”) of Magistrate Judge A. Kathleen Tomlinson, dated April 24, 2012, recommending that this case be dismissed for plaintiff’s failure to prosecute. [Docket Entry No. 24]. No objections to the Report have been filed. For the following reasons, the Court accepts Magistrate Judge Tomlinson’s Report in its entirety.

I

Any portion of a report and recommendation on dispositive matters to which a timely objection has been made is reviewed de novo. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). The Court, however, is not required to review the factual findings or legal conclusions of the magistrate judge as to which no proper objections are interposed. See Thomas v. Arn, 474 U.S.

140, 150, 106 S.Ct. 466, 88 L.Ed.2d 435 (1985). To accept the report and recommendation of a magistrate judge on a dispositive matter to which no timely objection has been made, the district judge need only be satisfied that there is no clear error on the face of the record. See Fed. R. Civ. P. 72(b); Johnson v. Goord, 487 F.Supp.2d 377, 379 (S.D.N.Y. 2007), aff'd, 305 Fed. Appx. 815 (2d Cir. Jan. 9, 2009); Baptichon v. Nevada State Bank, 304 F.Supp.2d 451, 453 (E.D.N.Y. 2004), aff'd, 125 Fed. Appx. 374 (2d Cir. Apr. 13, 2005). Whether or not proper objections have been filed, the district judge may, after review, accept, reject, or modify any of the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

II

Neither party has filed any objections to Magistrate Judge Tomlinson's Report. Upon review, the Court is satisfied that the Report is not facially erroneous. Accordingly, the Court accepts Magistrate Judge Tomlinson's Report and Recommendation in its entirety. This case is dismissed with prejudice for plaintiff's failure to prosecute, see Fed. R. Civ. P. 41(b), and the Clerk of Court is directed to close this case.

In accordance with Rule 77(d) of the Federal Rules of Civil Procedure, the Clerk of Court shall serve a copy of this order upon all parties, including mailing a copy of this order to the pro se plaintiff, and shall record such service on the docket.

SO ORDERED.

s/ Sandra J. Feuerstein

Sandra J. Feuerstein
United States District Judge

Dated: May 21, 2012
Central Islip, New York