

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y
★ SEP 09 2014 ★
LONG ISLAND OFFICE

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ALI L. GRIMES,

Plaintiff,

-against-

NEW YORK STATE POLICE DEPARTMENT,
et al.,

Defendants.

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FEUERSTEIN, District Judge:

ORDER
13-CV-3418 (SJF)

Before the Court is Magistrate Judge Arlene R. Lindsay’s Report and Recommendation (“Report”), dated June 2, 2014, recommending that this action be dismissed pursuant to Federal Rule of Civil Procedure 41(b). No objections to the Report have been filed. For the following reasons, the Court adopts Magistrate Judge Lindsay’s Report in its entirety.

I

Any portion of a report and recommendation on dispositive matters, to which a timely objection is made, is reviewed *de novo*. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72. The court, however, is not required to review the factual findings or legal conclusions of the magistrate judge where no proper objections are interposed. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”). Thus, 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); *Baptichon v. Nevada State Bank*, 304 F.

Supp. 2d 451, 453 (E.D.N.Y. 2004). After conducting the appropriate review, a district court may accept, reject or modify any of the magistrate judge's findings or recommendations whether or not objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

II

Neither party has filed objections to Magistrate Judge Lindsay's Report. Upon review, the Court is satisfied that the Report is not facially erroneous and therefore, the Report is adopted in its entirety. Accordingly, the Report's recommendation that this action be dismissed is adopted and this case is dismissed with prejudice. The Clerk of the Court shall close this case.

SO ORDERED.

Dated: September, 9, 2014
Central Islip, New York

s/ Sandra J. Feuerstein

Sandra J. Feuerstein, U.S.D.J.