UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SCOTT M. GENOVA,

Plaintiff,

-against-

THE CITY OF GLEN COVE; THE CITY OF GLEN COVE POLICE DEPARTMENT; CHIEF WILLIAM WHITTON, individually and as an agent of the employer; DEPUTY CHIEF ROBERT MACDONALD, individually and as an agent of the employer; SERGEANT PATRICK HALL, individually; SERGEANT JACK MANCUSI, individually; LIEUTENANT JOHN MANDATO, individually;

Defendants.

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ORDER
13-cv-04088 (JMA) (SIL)

AZRACK, United States District Judge:

On May 26, 2016, defendants filed a motion for summary judgment. On August 16, 2016, I referred the motion to Magistrate Judge Locke for a Report and Recommendation. In a Report and Recommendation dated February 22, 2017, Judge Locke recommended that defendants' motion for summary judgment be granted. After plaintiff filed objections on March 16, 2017, which raised, inter alia, an issue about plaintiff's request to file a sur-reply brief, I granted plaintiff's request to file a sur-reply and referred the motion for summary judgment back to Judge Locke for him to consider whether plaintiff's sur-reply affected his Report and Recommendation in any fashion. After plaintiff filed his sur-reply, Judge Locke issued another Report and Recommendation on May 15, 2017 addressing the sur-reply and renewing his previous recommendation that defendants' motion for summary judgment be granted. On May 30, 2017,

plaintiff filed additional objections.

After considering plaintiff's March 16, 2017 and May 30, 2017 objections and conducting a review of the full record and the applicable law, I adopt Judge Locke's February 22, 2017 Report and Recommendation and his May 15, 2017 Report and Recommendation in their entirety as the opinions of the Court.

In reviewing a magistrate judge's report and recommendation, the court must "make a de novo determination of those portions of the report or . . . recommendations to which objection[s][are] made." 28 U.S.C. § 636(b)(1)(C); see also Brown v. Ebert, No. 05–CV–5579, 2006 WL 3851152, at *2 (S.D.N.Y. Dec. 29, 2006). The 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). Those portions of a report and recommendation to which there is no specific reasoned objection are reviewed for clear error. See Pall Corp. v. Entegris, Inc., 249 F.R.D. 48, 51 (E.D.N.Y. 2008).

I have undertaken a de novo review of the record, Judge Locke's February 22, 2017 Report and Recommendation, his May 15, 2017 Report and Recommendation, and plaintiff's objections and the responses to those objections. I agree with Judge Locke's comprehensive and well-reasoned February 22, 2017 Report and Recommendation and May 15, 2017 Report and Recommendation. Accordingly, I grant defendants' motion for summary judgment.

The Clerk of Court is directed to enter judgment in favor of defendants and to close this case.

SO ORDERED.
Dated: June 15, 2018
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE