

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THOMAS KLOS,

Plaintiff,

-against-

ORDER

13-CV-5449 (JMA)(ARL)

JOHN BLIGH et al,

Defendants.

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AZRACK, District Judge:

Before the Court is a Report and Recommendation (“R&R”) from Magistrate Judge Arlene R. Lindsay recommending that the Court dismiss this action under Federal Rule of Civil Procedure 41(b). Plaintiff has not objected to the R&R and time for filing an objection has passed.

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).

Having conducted a review of the full record and the applicable law, and having reviewed the R&R for clear error, the Court adopts Judge Lindsay’s R&R in its entirety and dismisses this action for failure to prosecute.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and, therefore, in forma pauperis status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to close this case and to mail a copy of this Order to the plaintiff at his last known address.

SO ORDERED.

Dated: July 27, 2018
Central Islip, New York

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