

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AJAX 2018-REO, LLC, In care of Gregory
Funding, LLC,

Plaintiff,

v.

1:19-CV-1617
(GTS/DJS)

ANTHONY ROSSLER; and DOES 1-10,
Inclusive,

Defendants.

APPEARANCES:

ANTHONY J. ROSSLER

Defendant, *Pro Se*

1458 Vley Road

Schenectady, New York 12302

GLENN T. SUDDABY, Chief United States District Judge

DECISION and ORDER

Currently before the Court, in this *pro se* removal action filed by Anthony J. Rossler (“Defendant”) against Ajax 2018-REO, LLC (“Plaintiff”), are (1) United States Magistrate Judge Daniel J. Stewart’s Report-Recommendation recommending that this matter be remanded to Glenville Town Court in Schenectady County from which it was removed, and (2) Defendant Rossler’s Objection to the Report-Recommendation. (Dkt. Nos. 7, 9.) After carefully reviewing the relevant filings in this action, the Court can find no error in the Report-Recommendation, clear or otherwise: Magistrate Judge Stewart employed the proper standards, accurately recited the facts, and reasonably applied the law to those facts. As a result, the Court accepts and adopts the Report-Recommendation for the reasons stated therein. (Dkt. No. 7.) To those reasons, the Court would add only that, even if Plaintiff were entitled to the

full measure of special solicitude (which is unlikely given that his Objection appears to have been prepared through the assistance of counsel), he may not use the factual allegations set forth in his Objection to effectively amend “the initial pleading” that is required by 28 U.S.C. § 1446(b) and that was omitted from his notice of removal.

ACCORDINGLY, it is

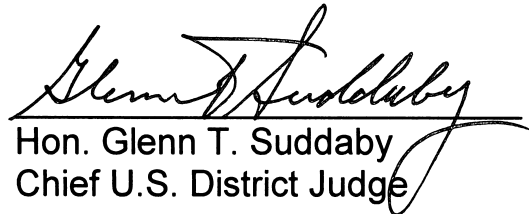
ORDERED that Magistrate Judge Stewart’s Report-Recommendation (Dkt. No. 7) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

ORDERED that this matter be remanded to the Glenville Town Court in the County of Schenectady; and it is further

ORDERED that the Clerk of Court transmit a copy of this Decision and Order to the Clerk of the Glenville Town Court in Schenectady County.

The Court certifies that an appeal from this Decision and Order would not be taken in good faith.

Dated: April 6, 2020
Syracuse, New York


Hon. Glenn T. Suddaby
Chief U.S. District Judge