

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHAEL JOSEPH ROTONDO,

Plaintiff,

-v-

5:17-cv-522
(DNH/DEP)

BEST BUY STORES LLC,

Defendant.

APPEARANCES:

MICHAEL JOSEPH ROTONDO
Plaintiff pro se
408 Weatheridge Drive
Camillus, New York 13031

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Michael Joseph Rotondo brought this employment discrimination action pursuant to 42 U.S.C. § 2000e et seq. On June 2, 2017, the Honorable David E. Peebles, United States Magistrate Judge, advised by Report-Recommendation that plaintiff's complaint be dismissed but that he be granted leave to file an amended complaint. Plaintiff timely filed an objection to the Report-Recommendation, and though premature and prior to the adoption or rejection of the Report-Recommendation by the undersigned, also filed an amended complaint.

Based upon a de novo review of the portions of the Report-Recommendation to which

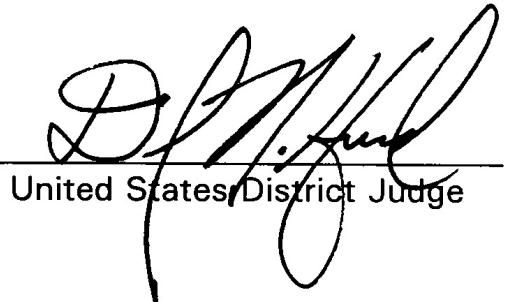
plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1). In accordance with the same, this matter is referred back to Magistrate Judge Peebles for review of plaintiff's amended complaint.

Therefore, it is

ORDERED that

1. Plaintiff's complaint is DISMISSED; and
2. The file is referred back to Magistrate Judge Peebles for review of plaintiff's amended complaint.

IT IS SO ORDERED.



United States District Judge

Dated: July 5, 2017
Utica, New York.