

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

OMAR ABRAMS,

Plaintiff,

v.

6:12-CV-1701
(GTS/TWD)

SEARS ROEBUCK AND CO.,

Defendant.

APPEARANCES:

OMAR ABRAMS

Plaintiff, *Pro Se*

1011 Seymour Avenue

Utica, New York 13501

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

Currently before the Court, in the above-captioned *pro se* civil rights action filed by Omar Abrams (“Plaintiff”), is United States Magistrate Thérèse Wiley Dancks’ Report-Recommendation recommending Plaintiff’s Amended Complaint be dismissed, without further leave to amend. (Dkt. No. 11.)

Plaintiff has not filed an objection to the Report-Recommendation, and the deadline in which to do so has expired. (*See generally* Docket Sheet.)

When *no* objection is made to a report-recommendation, the Court subjects that report-recommendation to only a *clear error* review. Fed. R. Civ. P. 72(b), Advisory Committee Notes: 1983 Addition. When performing such a “clear error” review, “the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Id.*; *see also Batista v. Walker*, 94-CV-2826, 1995 WL 453299, at *1. (S.D.N.Y. July 31, 1995)

(Sotomayor, J.) (“I am permitted to adopt those sections of [a magistrate judge’s] report to which no specific objection is made, so long as those sections are not facially erroneous.”) (internal quotation marks and citations omitted).

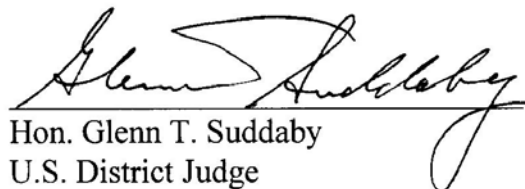
Here, based on a careful review of this matter, the Court can find no error with Magistrate Judge Dancks’ Report-Recommendation, clear or otherwise. (Dkt. No. 11.) Magistrate Judge Dancks employed the proper standards, accurately recited the facts, and reasonably applied the law to those facts. (*Id.*) As a result, the Report-Recommendation is accepted and adopted in its entirety for the reasons stated therein.

ACCORDINGLY, it is

ORDERED that Magistrate Judge Dancks’ Report-Recommendation (Dkt. No. 11) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

ORDERED that Plaintiff’s Amended Complaint (Dkt. No. 8) is **DISMISSED** without further leave to amend.

Dated: February 24, 2014
Syracuse, New York


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