

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KAREEM RASHAWN YOUNG,

Plaintiff,

-v-

6:18-CV-135
(DNH/TWD)

COMMISSIONER OF INTERNAL REVENUE,

Defendant.

APPEARANCES:

KAREEM RASHAWN YOUNG
Plaintiff, pro se
04-B-2504
Watertown Correctional Facility
PO Box 168
Watertown, NY 13601

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Kareem Rashawn Young commenced this action pursuant to 26 U.S.C. § 7422. On October 4, 2018, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, advised by Report-Recommendation that the complaint be sua sponte dismissed for lack of subject matter jurisdiction without prejudice and that plaintiff be granted leave to amend. No objections to the Report-Recommendation have been filed. However, on October 17, 2018, plaintiff filed an "Affidavit in support of plaintiff's request for leave to amend the complaint that was filed by naming the United States as the proper defendant." ECF No. 13.

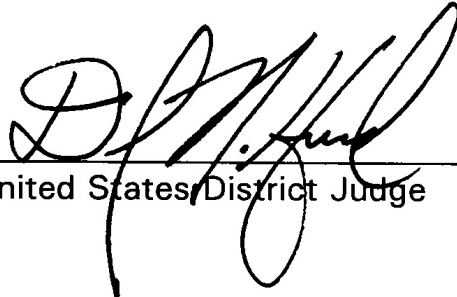
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

The Report-Recommendation is adopted in all respects and the matter is referred back to Magistrate Judge Dancks for review of plaintiff's motion to amend.

IT IS SO ORDERED.



United States District Judge

Dated: February 5, 2019
Utica, New York.