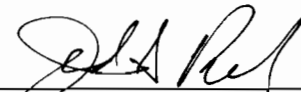


----- X
 RICKEY L. MACK, :
 :
 Plaintiff, : 10 Civ. 351 (JSR) (RLE)
 :
 -v- : ORDER
 :
 MIDDLETOWN POLICE DEPT., et al., :
 :
 Defendant. :
 ----- X

JED S. RAKOFF, U.S.D.J.

On September 2, 2011, the Honorable Ronald L. Ellis, United States Magistrate Judge, issued a Report and Recommendation in the above-captioned matter recommending that the Court dismiss the plaintiff's complaint with prejudice for failure to comply with Rule 4(m) of the Federal Rules of Civil Procedure. Plaintiff has failed to file any objection to the Report and Recommendation, and, for that reason alone, has waived any right to review by this Court. See Thomas v. Arn, 474 U.S. 140, 147-48 (1985); Mario v. P & C Food Markets, Inc., 313 F.3d 758, 766 (2d Cir. 2002); Spence v. Superintendent, Great Meadow Corr. Facility, 219 F.3d 162, 174 (2d Cir. 2000). Accordingly, the Court hereby adopts the Report and Recommendation, and, for the reasons therein, dismisses plaintiff's complaint with prejudice. Clerk to enter judgment.

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
February 25, 2013

