

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**JERMAINE DUNHAM,**

**Plaintiff,**

**- against -**

**CITY OF NEW YORK, ET AL.**

**Defendants.**

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**ANDREW L. CARTER, JR., United States District Judge:**

Plaintiff filed this civil rights action on February 16, 2011. ECF No. 2. On January 12, 2012, this matter was referred to United States Magistrate Judge Henry B. Pitman for pretrial supervision. ECF No. 18. On April 19, 2018, Judge Pitman issued a Report and Recommendation (“R&R”) recommending dismissal of Plaintiff’s Third Amended Complaint on the ground that it included amendments as to which Plaintiff was expressly denied leave. ECF No. 82.

Because no timely objection was made,<sup>1</sup> the Court “need only satisfy itself that there is no clear error on the face of the record” to adopt the R&R. *Figueroa v. Riverbay Corp.*, No. 06-cv-5364 (PAC) (KNF), 2006 WL 3804581, at \*1 (S.D.N.Y. Dec. 22, 2006) (quoting *Wilds v. United Parcel Serv.*, 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003)). The Court finds no clear error in the record and adopts the reasoned conclusions in Judge Pitman’s R&R in their entirety.

<sup>1</sup> Plaintiff submitted a letter dated April 18, 2018 requesting to remove the amendments at issue, which Judge Pitman denied as moot in light of his report and recommendation. ECF No. 83.

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**11 Civ. 1223 (ALC)(HBP)**

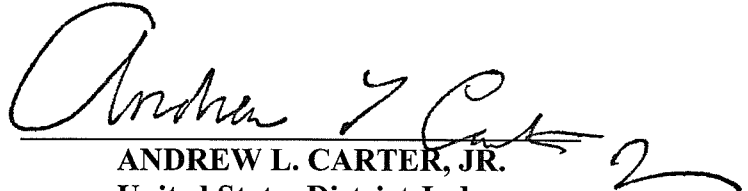
**ORDER**

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For the reasons stated, the Court dismisses the complaint to the extent that it adds  
Batignani as a defendant and asserts state law tort claims.

**SO ORDERED.**

**Dated: May 4, 2018**  
**New York, New York**

  
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**ANDREW L. CARTER, JR.**  
**United States District Judge**