

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 10-24-12

Albert Ramos,

Plaintiff,

-against-

Brian Fischer, J. Benedict & Joe Ford,

Defendants.

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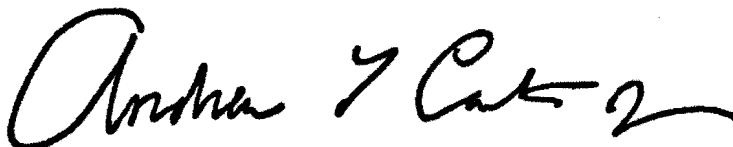
11 Civ. 8664 (ALC) (AJP)

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION

ANDREW L. CARTER, JR., District Judge:

Currently before the Court is the Report and Recommendation ("R & R") of United States Magistrate Judge Andre J. Peck recommending that Plaintiff's Complaint (filed on February 28, 2012) be dismissed without prejudice for failure to timely serve it pursuant to Fed. R. Civ. P. 4(m) Fed.R.Civ.P. 41(b) (Dkt. 12.) When no objection is made to a portion of a report and recommendation, the Court subjects that portion of the report and recommendation to only a clear error review. See Lewis v. Zon, 573 F.Supp.2d 804, 811 (S.D.N.Y.2008); Fed.R.Civ.P. 72 advisory committee's note (b). Despite having been notified of his right to file an Objection, none has been filed. I have reviewed the R & R for clear error, and find none. Accordingly, I adopt the R & R for the reasons stated therein. The Clerk of Court is respectfully directed to close the case. SO ORDERED.

Dated: New York, New York  
October 24, 2012



ANDREW L. CARTER, JR.  
United States District Judge