

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

R. Devine,

Plaintiff,

-against-

**United States of America, acting by and through the
Department of Treasury-Internal Revenue Service, the
Social Security Administration, and Comerica Bank,**

Defendants.

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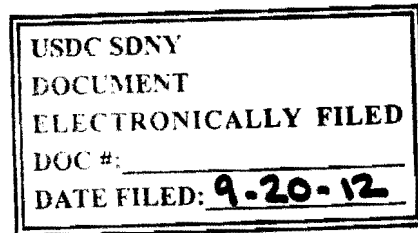
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12 Civ. 2236 (ALC) (DF)

OPINION & ORDER

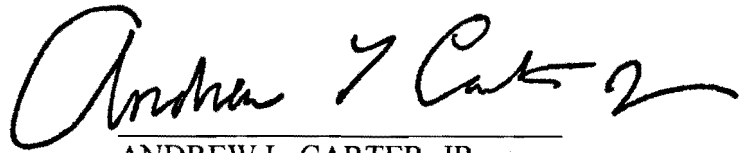


ANDREW L. CARTER, JR., District Judge:

Currently before the Court is an objection by plaintiff R. Devine (“Plaintiff”), dated July 27, 2012 (Dkt. 18). Plaintiff objects to an order by Magistrate Judge Freeman denying his motion for recusal under 28 U.S.C. § 455 and ordering him to produce his Social Security Number to Defendants’ counsel (Dkt. 16). I have read Plaintiff’s submission, and his objection is baseless. Plaintiff does not argue or provide any facts that show that Judge Freeman or defense counsel’s impartiality could reasonably be questioned in this case. *See U.S. v. Bayless*, 201 F.3d 116, 127 (2d Cir. 2000). The thrust of Plaintiff’s complaint is that he disagrees with Judge Freeman’s order requiring him to submit his Social Security Number, which he states was done without proper notice to him. However, Plaintiff has had multiple opportunities to challenge the propriety of this ruling, including at a hearing before me, and his challenge was found to be without merit. In any event, disagreement with a ruling does not provide a ground for recusal. Accordingly, Plaintiff’s objection is overruled.

SO ORDERED.

Dated: New York, New York
September 19, 2012

A handwritten signature in black ink, reading "Andrew L. Carter, Jr." in a cursive style. The signature is positioned above a horizontal line.

ANDREW L. CARTER, JR.
United States District Judge