

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIZA RIOS,

Plaintiff,

v.

REDBUBBLE, INC., *et al.*,

Defendants.

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 9/21/2018

18-CV-2260 (RA)

ORDER ADOPTING REPORT AND
RECOMMENDATION

RONNIE ABRAMS, United States District Judge:

Plaintiff Liza Rios brings this action *pro se*, fee paid, seeking damages against seven corporate defendants for allegedly infringing on her registered trademark. Only four of those defendants remain in the case—but there is no indication that any of them have been properly served with the summons and Complaint under Federal Rule of Civil Procedure 4. Before the Court is the August 28, 2018 Report and Recommendation of the Hon. Barbara Moses (the “Report”), which recommends dismissing Plaintiff’s claims against the four absent defendants without prejudice pursuant to Federal Rule of Civil Procedure 4(m) and 12(b)(5). *See R. & R.* (Dkt. 28).


A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Parties may object to a magistrate judge’s recommended findings “[w]ithin 14 days after being served with a copy of the recommended disposition.” Fed. R. Civ. P. 72(b)(2). That deadline is extended to 17 days when service is made by mail. *See* Fed. R. Civ. P. 6(d). “The district court may adopt those portions of a report and recommendation to which no timely objections have been made, provided no clear error is apparent from the face of the record.” *Hancock v. Rivera*, No. 09-CV-7233 (CS) (GAY), 2012 WL 3089292, at *1 (S.D.N.Y. July 30, 2012) (internal citation omitted).

Plaintiff's deadline for objecting to the Report has passed, and Plaintiff has not objected to Judge Moses' thorough and well-reasoned Report. The Court thus reviews the Report for clear error and, finding none, adopts the Report in its entirety. Accordingly, Plaintiff's claims against the four defendants who have not appeared—RedBubble, Inc., Society 6, LLC, Cloudfare, Inc., and Amazon.com, LLC—are dismissed without prejudice.

The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff and to close the case.

SO ORDERED.

Dated: September 21, 2018
New York, New York



Ronnie Abrams
United States District Judge