UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DOUGLAS D. DE MASI, SR.,

                Plaintiff,   :   **08 Civ. 546 (SCR) (GAY)**

           v.

COUNTRYWIDE HOME LOANS, INC.,   :   **MEMORANDUM ORDER**
ANGELO R. MOZILO, and JILL WOSNAK   :   **ACCEPTING REPORT**
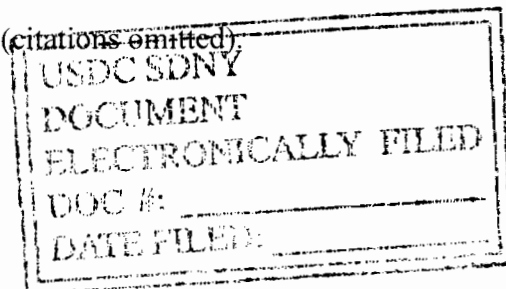   :   **RECOMMENDATION**
                Defendants.   :

STEPHEN C. ROBINSON, UNITED STATES DISTRICT JUDGE.

The plaintiff, Douglas D. De Masi, Sr., brought this action in New York State Supreme

Court, Duchess County, against Countrywide Home Laons, Inc, Angelo R. Mozilo, and Jill

Wosnak (collectively, the "defendants"). On January 22, 2008, the defendants removed the case

to federal court, pursuant to 28 U.S.C. § 1441. Mr. De Masi subsequently moved to remand on

the ground that his Complaint asserts no federal claim. The matter was referred to United States

Magistrate Judge George A. Yanthis, and he has issued a Report and Recommendation.

Under to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure Rules 72(b) and

6(d), the parties had a right to file objections to the Report and Recommendation within thirteen

working days from October 1, 2008. The parties have not filed objections.

In reviewing a Report and Recommendation, 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)(C). To accept a Report and Recommendation to which no timely objection

has been made, a district court need only satisfy itself that "there is no clear error on the face of

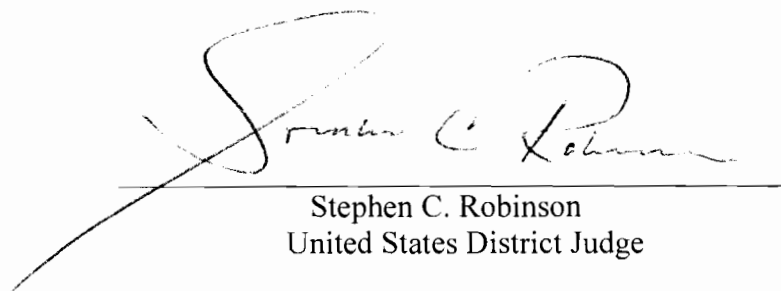the record." *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985) (citations omitted).

This Court has reviewed Judge Yanthis's well-reasoned Report and Recommendation and

has determined that there is no clear legal error on the face of the record. Accordingly, this

Court adopts the Report and Recommendation.

The Clerk of the Court is directed to close the case, including docket entry number 6.

It is so ordered.

Dated: *January 12*, 2009

White Plains, New York

Stephen C. Robinson
United States District Judge