

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSEPH COCUZZA,

Plaintiff,

v.

ROCKLAND COUNTY, *New York*; and
SHERRIFF LOUIS FALCO, III, *Individually*,

Defendants.

No. 17-CV-8217 (KMK) (PED)

ORDER ADOPTING R&R

KENNETH M. KARAS, United States District Judge:

On November 7, 2019, Magistrate Judge Paul E. Davison (“Judge Davison”) entered a Report & Recommendation (the “R&R”) recommending that this Court grant Plaintiff’s Motion for Attorney’s Fees in part, concluding that Plaintiff should be awarded a total amount of \$16,433.55, consisting of \$15,396.00 in attorney’s fees and fees for paralegal tasks and \$1,037.55 in costs. (R&R 19 (Dkt. No. 41).)¹ In the thorough and well-reasoned R&R, Judge Davison provided notice that objections to the R&R were due within 14 days and that failure to object would preclude later appellate review of any order of judgment that will be entered. (*Id.* at 19.) No objections were filed.

Because no objections have been filed, the Court reviews the R&R “only for clear error on the face of the record.” *See Brennan v. Colvin*, No. 13-CV-6338, 2015 WL 1402204, at *1 (S.D.N.Y. Mar. 25, 2015) (internal quotation marks omitted); *see also Iannolo v. Astrue*, No. 10-

¹ Pursuant to 42 U.S.C. § 1988(b), a court may award “the prevailing party” in a § 1983 lawsuit “reasonable attorneys’ fees and costs.” *Coakley v. Webb*, No. 14-CV-8438, 2016 WL 1047079, at *2 (S.D.N.Y. Mar. 9, 2016) (quotation marks omitted). Here, following summary judgment motion practice, Joseph Cocuzza (“Plaintiff”) received and accepted a \$15,000 Offer of Judgment from Defendants, which was approved by the Court on April 17, 2019. (*See* Dkt. No. 31.)


CV-7602, 2012 WL 523619, at *1 (S.D.N.Y. Feb. 16, 2012) (same). Having reviewed the R&R for clear error and finding none, the Court adopts the R&R in its entirety.

Accordingly, it is hereby:

ORDERED that Plaintiff's Motion for Attorney's Fees is granted in part in the amount of \$16,433.55, with the award to be made payable to Plaintiff's counsel. The Clerk of Court is respectfully requested to terminate the pending Motion. (Dkt. No. 32.)

SO ORDERED.

Dated: December 2, 2019
White Plains, New York



KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE