

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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NYJEE L. BOYD,

Plaintiff,

v.

DEPUTY VINCENT PETRALIS,  
DEPUTY ADAM GEIGER, MAJOR  
HORAN, CAPTAIN KENNEDY,  
CORPAL. LOPEZ, and SERGEANT  
LATONA,

Defendants.

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**ORDER**


6:16-CV-06286 EAW

This case was referred for all pretrial matters excluding dispositive motions to United States Magistrate Judge Marian W. Payson pursuant to 28 U.S.C. § 636(b)(1). (Dkt. 8). Magistrate Judge Payson issued a thorough Report and Recommendation recommending that Plaintiff's motion to amend the complaint to add seven newly-identified defendants (Dkt. 61) be denied (Dkt. 82).

Pursuant to Fed. R. Civ. P. 72(b)(2) and 28 U.S.C. § 636(b)(1), the parties had 14 days after being served a copy of the Report and Recommendation to file objections. No objections were filed. The Court is not required to review *de novo* those portions of a report and recommendation to which objections were not filed. *See Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) ("Where parties receive clear notice of the consequences, failure [to timely] object to a magistrate's report and recommendation operates as a waiver of further judicial review of the magistrate's decision.").

Notwithstanding the lack of objections, the Court has conducted a careful review of the Report and Recommendation as well as the filings previously made in the case, and finds no reason to reject or modify the Report and Recommendation of Magistrate Judge Payson. For the reasons set forth in the Report and Recommendation (Dkt. 82), this Court denies Plaintiff's motion to amend the Complaint to add seven newly-identified defendants. (Dkt. 61).

SO ORDERED.



ELIZABETH A. WOLFORD  
United States District Judge

Dated: March 29, 2019  
Rochester, New York