


recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation. See *Campbell v. United States Dist. Court*, 501 F.2d 196, 206 (9th Cir. 1974), *cert. denied*, 419 U.S. 879 (1974).

In his R & R, the Magistrate Judge reviewed the factual record at length and properly determined that Plaintiff's claims under 42 U.S.C. § 1983 should be dismissed and the court should not exercise supplemental jurisdiction over Plaintiff's state law claims under 28 U.S.C. § 1367(c)(3). The court agrees. It therefore ADOPTS the Magistrate Judge's R & R as the court's Order and Opinion, and GRANTS Defendants' Motion for Summary Judgment. (Doc. 63.) The court, however, dismisses all of Plaintiff's claims, including his state law claims and those set forth in his Amended Complaint (Doc. 37), WITHOUT PREJUDICE. See *Mitchell v. Lyons Prof'l Servs., Inc.*, 708 F.3d 463, 467 (2d Cir. 2013) (dismissal with prejudice "should be used only in extreme situations").

SO ORDERED.

Dated at Burlington, in the District of Vermont, this 26th day of September, 2014.



Christina Reiss, Chief Judge
United States District Court