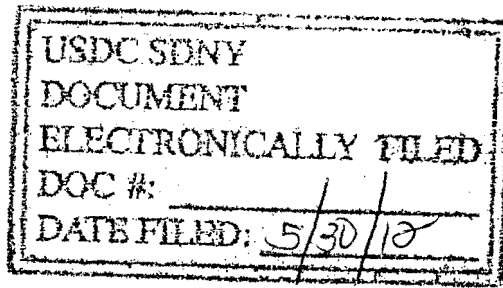


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE MCRAY, RICHARDSON, SANTANA,  
WISE, AND SALAAM LITIGATION



03 Civ. 9685 (DAB) (RLE)  
ADOPTION OF REPORT  
AND RECOMMENDATION

-----X

DEBORAH A. BATTS, United States District Judge.

This matter is before the Court upon a Report and Recommendation ("Report") of United States Magistrate Judge Ronald L. Ellis, which was filed December 12, 2011. The Report recommends that Plaintiff Daniel Wise's action be dismissed without prejudice for failure to prosecute.

According to 28 U.S.C. § 636(b)(1)(C), "[w]ithin fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations." 28 U.S.C. § 636(b)(1)(C); see also Fed. R. Civ. P. Rule 72(b)(2) (stating that "[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific, written objections to the proposed findings and recommendations"). Despite being advised accordingly in Judge Ellis's Report and Recommendation, to date, no objections to the Report have been filed.

Having reviewed the Report, and finding no clear error on the face of the record, see 28 U.S.C. § 636(b)(1)(B), it is hereby

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation, Docket Entry No. 159, of United States Magistrate Judge Ronald L. Ellis, dated December 12, 2011, be and the same hereby is APPROVED, ADOPTED, and RATIFIED by the Court in its entirety; and

2. Plaintiff Daniel Wise's action is hereby DISMISSED, WITHOUT PREJUDICE for failure to prosecute.

SO ORDERED.

DATED: New York, New York

May 29, 2012

Deborah A. Batts

Deborah A. Batts  
United States District