

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Scott Rummler v. Jefferson County Emergency Medical Service

Rummler · No. 5:25-cv-1062 (BKS/CBF) · Decided March 26, 2026

SUMMARY

The United States District Court for the Northern District of New York adopted a magistrate judge’s recommendation and dismissed Scott Rummler’s amended and second amended complaints under 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim. The court concluded that Rummler had not plausibly alleged municipal liability under Monell and directed the Clerk to enter judgment and close the case.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Brenda K. Sannes
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	March 26, 2026
DOCKET	5:25-cv-1062 (BKS/CBF)
DISPOSITION	dismissed
PROCEDURAL POSTURE	On initial review of a pro se plaintiff's amended pleadings under 28 U.S.C. § 1915(e)(2), the district court reviewed a magistrate judge's Report-Recommendation for clear error because no objections were filed, adopted the recommendation, and dismissed the Amended Complaint and Second Amended Complaint for failure to state a claim.
STANDARD OF REVIEW	Clear-error review of an unobjected-to magistrate judge's Report-Recommendation.
PRECEDENTIAL VALUE	unpublished

TOPICS

- section 1983
- municipal liability
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the magistrate judge's recommendation to dismiss the Amended Complaint and Second Amended Complaint for failure to state a claim should be adopted when the plaintiff filed no objections.
2. Whether the amended pleadings plausibly alleged municipal liability under Monell.

HOLDINGS

1. When no objections are filed to a magistrate judge's Report-Recommendation and the objection period has expired, the district court reviews the recommendation for clear error.
2. The Amended Complaint and Second Amended Complaint failed to state a claim because they did not plausibly allege municipal liability under Monell.

KEY QUOTATIONS

“Having reviewed the Report-Recommendation for clear error and found none, the Court adopts the recommendation that the Amended Complaints be dismissed for failure to state a claim because Plaintiff has failed to plausibly allege a claim of municipal liability under Monell.”

FACTUAL BACKGROUND

Scott Rummeler, proceeding pro se, brought a civil-rights action under 42 U.S.C. § 1983 against Jefferson County Emergency Medical Service. The opinion does not describe the underlying events in detail, but concludes that the pleadings did not plausibly allege municipal liability. Rummeler filed an original complaint followed by an Amended Complaint and a Second Amended Complaint.

PROCEDURAL HISTORY

Plaintiff filed a § 1983 complaint and sought in forma pauperis status. The magistrate judge granted IFP status and recommended dismissal for failure to state a claim; the district court adopted that recommendation and allowed amendment. Plaintiff then filed an Amended Complaint and a Second Amended Complaint. After another initial review, the magistrate judge recommended dismissal because the pleadings failed to plausibly allege municipal liability under Monell. Plaintiff filed no objections, so the district court reviewed the recommendation for clear error, adopted it, dismissed both amended pleadings, directed entry of judgment, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Petersen v. Astrue, 2 F. Supp. 3d 223, 228-29 (N.D.N.Y. 2013)
- Monell

OPINION

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK SCOTT RUMMLER, Plaintiff, 5:25-cv-1062 (BKS/CBF) v. JEFFERSON COUNTY EMERGENCY MEDICAL SERVICE, Defendant. Appearances: Plaintiff pro se: Scott Rummler Watertown, NY 13601 Hon. Brenda K. Sannes, Chief United States District Judge: MEMORANDUM-DECISION AND ORDER Plaintiff Scott Rummler brought this action pro se asserting claims under 42 U.S.C. § 1983 against Defendant Jefferson County Emergency Medical Service.

(Dkt. No. 1). Plaintiff also sought leave to proceed in forma pauperis (“IFP”). (Dkt. No. 2). This matter was referred to United States Magistrate Judge Thérèse Wiley Dancks for an initial review pursuant to 28 U.S.C. § 1915(e)(2) and Local Rule 72.3(d).

On October 15, 2025, Magistrate Judge Dancks granted Plaintiff’s application to proceed IFP and issued a Report-Recommendation, recommending that Plaintiff’s complaint be dismissed without prejudice under 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim. (Dkt. No. 5). This court adopted Magistrate Judge Dancks Report- Recommendation and dismissed Plaintiff’s complaint, with leave to amend.

On November 17, 2025, Plaintiff filed an Amended Complaint and on December 3, 2025, Plaintiff filed a Second Amended Complaint. (Dkt. Nos. 7, 8). Magistrate Judge Thérèse Wiley Dancks conducted an initial review of the Amended Complaints pursuant to 28 U.S.C. § 1915(e)(2) and Local Rule 72.3(d), and issued a Report-Recommendation, recommending that Plaintiff’s Amended Complaints be dismissed for failure to state a claim.

(Dkt. No. 9). Magistrate Judge Dancks informed Plaintiff that he had fourteen days within which to file written objections to the report under 28 U.S.C. § 636(b)(1), and that the failure to object to the report within fourteen days would preclude appellate review. (Id. at 5-6). No objections to the Report-Recommendation have been filed.

As no objections to the Report-Recommendation have been filed, and the time for filing objections has expired, the Court reviews the Report-Recommendation for clear error. See *Petersen v. Astrue*, 2 F. Supp. 3d 223, 228–29 (N.D.N.Y. 2012); Fed. R. Civ. P. 72(b) advisory committee’s note to 1983 amendment.

Having reviewed the Report-Recommendation for clear error and found none, the Court adopts the recommendation that the Amended Complaints be dismissed for failure to state a claim because Plaintiff has failed to plausibly allege a claim of municipal liability under *Monell*.

For these reasons, it is hereby ORDERED that the recommendation in Magistrate Judge Dancks’ Report- Recommendation (Dkt. No. 9) is ADOPTED; and it is further ORDERED that Plaintiff’s Amended Complaint (Dkt. NO. 7) and Second Amended Complaint (Dkt. No. 8) are DISMISSED for failure to state a claim; and it is further ORDERED that the Clerk is directed to issue a

judgment and close this case; and it is further ORDERED that the Clerk serve a copy of this Order on Plaintiff in accordance with the Local Rules.

IT IS SO ORDERED. Dated: March 26, 2026 Syracuse, New York Brenda K. Sannes Chief U.S. District Judge

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