

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.

OPINION

Rummler

PER CURIAM.

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