

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK**

Abdul H. Abdullah v. Sergeant Seyed N. Huda, et al.

Abdullah · No. 24-CV-139 (JPO) · Decided November 24, 2025

SUMMARY

The United States District Court for the Southern District of New York adopted a magistrate judge's Report and Recommendation without objection. The court granted defendants' motion to dismiss and dismissed the action without prejudice under Federal Rules of Civil Procedure 41(b) and 37(b)(2) because the pro se plaintiff failed to respond to discovery requests and court orders.

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ABDUL H. ABDULLAH, Plaintiff, 24-CV-139 (JPO) -v- ORDER ADOPTING REPORT AND SERGEANT SEYED N. HUDA, et al, RECOMMENDATION Defendants. J. PAUL OETKEN, District Judge: On January 2, 2024, Plaintiff Abdul H. Abdullah, proceeding pro se and in forma pauperis, commenced this action. (ECF No. 1.) Plaintiff filed an amended complaint on February 5, 2024, seeking damages pursuant to 18 U.S.C. § 1989 for violations of his civil rights in connection with a traffic stop and subsequent arrest by the New York Police Department.

(ECF No. 5.) In August 2024, Plaintiff was served by Defendants with interrogatories and requests for production of documents. (ECF No. 33.) Plaintiff failed to respond to those requests despite Magistrate Judge Jennifer E. Willis's ordering Plaintiff to do so and warning Plaintiff that failure to do so could result in his case being dismissed. (ECF No. 35.)

On June 9, 2025, Defendants City of New York, Carlos Garcia, and Seyed N. Huda's (collectively, "Defendants") moved to dismiss the complaint pursuant to Rules 41(b) and 37(b)(2) of the Federal Rules of Civil Procedure. (ECF No. 47.)

On October 20, 2025, Magistrate Judge Willis issued a careful and comprehensive Report and Recommendation ("R&R") in the matter suggesting that this Court grant Defendants' motion. (ECF No. 52.) This Court has reviewed the R&R. No party filed a timely objection to the R&R; therefore, the Court reviews it for clear error. See Fed. R. Civ. P. 72(b), Advisory Committee's Notes (1983) ("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 also *Borcsok v. Early*, 299 F. App'x 76, 77 (2d Cir.

2008). Magistrate Judge Willis's well-reasoned R&R presents no such errors and is therefore fully adopted by this Court. Accordingly, Defendants' motion (ECF No. 47) is granted, and this action is DISMISSED without prejudice pursuant to Rules 41(b) and 37(b)(2).

The Clerk of Court is directed to terminate the motions at ECF No. 41 and ECF No. 47 and to close this case. SO ORDERED. Dated: November 24, 2025 New York, New York |] J. PAUL OETKEN United States District Judge