

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

**Moneywell Grp LLC v. Titan Trucking LLC, Standard Waste
Services, TESI Inc., Senior Trucking LLC, Titan Environmental
Solutions, and Jeffrey John Rizzo**

No. 25-CV-274 (JLS) (LGF) · No. 25-CV-274 (JLS) (LGF) · Decided January 20, 2026

SUMMARY

The United States District Court for the Western District of New York adopts a magistrate judge's Report and Recommendation and dismisses the action for failure to prosecute. The dismissal followed plaintiff's failure to respond to a request regarding counsel's admission to the court and to an order to show cause.

OPINION

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK
JAN 20 2026
Re: 25-CV-274 (JLS) (LGF)
Plaintiff, MONEYWELL GRP LLC, STANDARD WASTE SERVICES, TESI INC., SENIOR TRUCKING LLC, TITAN ENVIRONMENTAL SOLUTIONS, and JEFFREY JOHN RIZZO
Defendants.
DECISION AND ORDER
Plaintiff commenced this action in New York State court on February 26, 2025, asserting claims based on an alleged breach of contract.

See Dkt. 1-1 at 3-7. The case was removed to federal court on March 27, 2025. Dkt. 1. The case has been referred to United States Magistrate Judge Leslie G. Foschio for all proceedings under 28 U.S.C. §§ 636(b)(1)(A), (B), and (C). Dkt. 10.

On March 28, 2025, "a request for verification of admission to this court" was sent to Plaintiff's attorney, Isaac Greenfield. Dkt. 13 at 2. On July 11, 2025, because Mr. Greenfield did not respond to this request, Magistrate Judge Foschio issued an order to show cause for why the case "should not be dismissed for lack of representation by an attorney admitted to this court." Dkt.

12. Mr. Greenfield never responded to this order, either. Dkt. 13 at 2. On December 5, 2025, Judge Foschio issued a Report and Recommendation (R&R) addressing Plaintiff's lack of compliance with the court order. Dkt. 13. He recommends that the action be dismissed for failure to prosecute the case. Id. at 6. Neither party filed objections, and the time to do so has expired.

See Dkt. 13 at 7 (specifying that objections were due fourteen days from receipt). A district court may accept, reject, or modify the findings or recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). A district court must conduct a de novo review of those portions of a magistrate judge's recommendation to which a party objects.

See 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). But neither 28 U.S.C. § 686 nor Federal Rule of Civil Procedure 72 requires a district court to review the recommendation of a magistrate judge to which no objections are raised. See *Thomas v. Arn*, 474 U.S. 140, 149-50 (1985). This Court carefully reviewed the R&R and, based on that review, and in the absence of any objections, the Court accepts and adopts Judge Foschio's recommendation.

Thus, for the reasons in the R&R, Plaintiffs action is DISMISSED for failure to prosecute. The Clerk of Court shall close this case. SO ORDERED. Dated: January 20, 2026 = ☐☐ Buffalo, New York JOHN L. SINATRA, JR. 9 UNITED STATES DISTRICT JUDGE