

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
NEW YORK

**Dominique Castile v. Niagara County; Sheriff Michael J. Filicetti, in
his Official and Individual Capacity as Sheriff of Niagara County;
Primecare Medical of New York, Inc.; Primecare Medical, Inc.;
Leanne Giaccotto, R.N.; Lindsay Getz, R.N.; Rene Marriott, R.N.;
Umbrine Fatima, M.D.; and John Doe 1 through 5**

Castile · No. 25-CV-655 (JLS) (JJM) · Decided March 30, 2026

OPINION

STATES DISTR, FILED x > UNITED STATES DISTRICT COURT = mee 30 909 □ WESTERN DISTRICT OF NEW YORK Mee eM 2026 TO So W. woëuss. w DOMINIQUE CASTILE, iste Plaintiff, Vv. 25-CV-655 (JLS) (JJM) NIAGARA COUNTY; SHERIFF MICHAEL J. FILICETTI, in his Official and Individual Capacity as Sheriff of Niagara County; PRIMECARE MEDICAL OF NEW YORK, INC.; PRIMECARE MEDICAL, INC.; LEANNE GIACCOTTO, R.N.; LINDSAY GETZ, R.N.; RENE MARRIOTT, R.N.; UMBRINE FATIMA, M.D.; and JOHN DOE 1 through 5 (said Niagara County supervisor(s) and/or Niagara County Sheriff Department supervisor(s) or employee(s) or staff on Duty involved in the incident and underlying claims), Defendants.

DECISION AND ORDER Plaintiff Dominique Castile commenced this action in New York state court on May 29, 2025, asserting claims under New York state law, 42 U.S.C. § 1983, and the Americans with Disabilities Act, based on the circumstances surrounding his medical treatment at the Niagara County Jail. Dkt. 1-2.

The case has been referred to United States Magistrate Judge Jeremiah J. McCarthy for all proceedings under 28 U.S.C. §§ 636(b)(1)(A), (B), and (C). Dkt. 6. On July 21, 2025, Defendants removed the action to the Western District of New York. Dkt. 1.

On August 21, 2025, Plaintiff filed a motion to remand the action to state court. Dkt. 5. Defendants opposed this motion, Dkt. 12, and Plaintiff replied. Dkt. 14. On August 29, 2025, Defendants also moved to dismiss Plaintiffs complaint for failure to state a claim. Dkt. 8.

On March 4, 2026, Judge McCarthy issued a Report and Recommendation (R&R) addressing Plaintiffs motion to remand, Dkt. 5, and Defendants' motion to dismiss, Dkt. 8. See Dkt. 17. He recommends that this Court deny Plaintiffs motion to remand, Dkt. 5, and deny Defendants'

motion to dismiss without prejudice to renewal, Dkt. 8. Id. at 5. Neither party filed objections, and the time to do so has expired.

See *id.* 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)(8). 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)(8). But neither 28 U.S.C. § 636 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 McCarthy's recommendation. Thus, for the reasons in the R&R, Plaintiffs motion to remand, Dkt. 5, is DENIED, and Defendants' motions to dismiss, Dkt. 8, is DENIED without prejudice to renewal.

The case is referred back to Judge McCarthy consistent with the August 22, 2025 referral order. See Dkt. 6. SO ORDERED. Dated: March 30, 2026 □ Buffalo, New York / | ig JOHN L. SINATRA, JR. UNITED STATES DISTRICT JUDGE