

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 18th day of December, two thousand twenty-four.

PRESENT: RAYMOND J. LOHIER, JR.,
JOSEPH F. BIANCO,
ALISON J. NATHAN,
Circuit Judges.

BERNARD LEWIS,

Plaintiff-Appellant,

v.

No. 24-684-cv

ROBERT CRANDALL, WILLIAM
SINGLER, RESOLUTION
MANAGEMENT, LLC, MARK H.
STEIN, ESQ., ERIN CAPITAL
MANAGEMENT, LLC, NORTH
AMERICAN PROCESSING
SERVING, LLC.,

Defendants-Appellees,

LEGAL SERVICING, LLC,
ANNEMARIE E. STEWARD, ESQ.,
ROBERT T. VAN DE MARK,
RODNEY A. GIOVE, ESQ.,
JPMORGAN CHASE BANK N.A.,

*Defendants.**

FOR APPELLANT:	Bernard Lewis, <i>pro se</i> , Bronx, NY
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FOR APPELLEE MARK STEIN:	David D. MacKnight, Lacy Katzen LLP, Rochester, NY
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Appeal from a judgment of the United States District Court for the
Southern District of New York (Paul A. Engelmayer, *Judge*).

UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED,
AND DECREED that the judgment of the District Court is AFFIRMED.

Bernard Lewis appeals from a judgment of the United States District Court
for the Southern District of New York (Engelmayer, *J.*), dismissing his federal
racketeering, Fair Debt Collection Practices Act, and New York state law claims.
We assume the parties' familiarity with the underlying facts and the record of

* The Clerk of Court is directed to amend the caption as set forth above.

prior proceedings, to which we refer only as necessary to explain our decision to affirm.

Magistrate Judge Wang issued orders granting several of the Defendants' requests to stay discovery pending the resolution of dispositive motions.

Although Lewis principally challenges these stay orders on appeal, he did not seek review of them in the proceedings before the District Court. *See* Fed. R. Civ. P. 72(a) (providing that "[a] party may serve and file objections to [a magistrate judge's order on a nondispositive matter] within 14 days after being served with a copy" and that "[a] party may not assign as error a defect in the order not timely objected to"). Failure to seek District Court review of the Magistrate Judge's orders means no appellate review is available to him. *See Caidor v. Onondaga County*, 517 F.3d 601, 605 (2d Cir. 2008). Moreover, even if Lewis had timely objected to the stay orders, his challenge would be meritless. *See Willis v. Amerada Hess Corp.*, 379 F.3d 32, 41 (2d Cir. 2004).

Ultimately, the District Court either dismissed Lewis's claims or granted the Defendants' motion for judgment on the pleadings. *See generally Lewis v. Legal Servicing, LLC*, No. 19-CV-8085, 2020 WL 7390233 (S.D.N.Y. Aug. 18, 2020), *report and recommendation adopted sub nom. Lewis v. Steward*, 2020 WL 6801920

(S.D.N.Y. Nov. 19, 2020) (dismissing claims against Chase); *Lewis v. Legal Servicing, LLC*, No. 19-CV-8085, 2022 WL 2531817 (S.D.N.Y. Mar. 15, 2022), *report and recommendation adopted sub nom. Lewis v. Steward*, 2022 WL 4592641 (S.D.N.Y. Sept. 30, 2022) (granting judgment on the pleadings to Defendants associated with Legal Servicing, LLC); *Lewis v. Stein*, No. 19-CV-8085, 2024 WL 448853 (S.D.N.Y. Feb. 5, 2024) (granting judgment on the pleadings in favor of Defendant Stein and the remaining, non-appearing Defendants).

We have considered each of Lewis's remaining arguments. To the extent Lewis has not forfeited his challenges before the District Court or abandoned them on appeal, *see Green v. Dep't of Educ. of N.Y.C.*, 16 F.4th 1070, 1074 (2d Cir. 2021) (explaining that issues not briefed on appeal are abandoned), we conclude that they are without merit. For the foregoing reasons, the judgment of the District Court is AFFIRMED.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court