

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

STEPHANIE RENE POWERS,

Plaintiff,

v.

CIVIL ACTION NO. 1:10-1389

FEDERAL BUREAU OF PRISONS, et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

By Standing Order, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of findings and recommendations regarding disposition pursuant to 28 U.S.C.A. § 636(b)(1)(B). Magistrate Judge VanDervort submitted to the court his Findings and Recommendation on May 23, 2012, in which he recommended that the district court grant defendants' "Motion to Dismiss the Federal Bureau of Prisons and Alderson Federal Prison Camp for Failure to State a Claim and Lack of Subject Matter Jurisdiction;" grant the United States' "Motion to Dismiss Defendants Natalie Wright, M.D. and Patricia McMichael and Substitute the United States;" grant the United States' Motion to Dismiss for Lack of Subject Matter Jurisdiction; grant "Defendants Wright and McMichael's Motion to Dismiss, or in the Alternative, Motion for Summary Judgment;" dismiss plaintiff's complaint; and remove this matter from the court's docket.

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge VanDervort's Findings and Recommendation. The failure of any party to file such objections constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

The parties failed to file any objections to the Magistrate Judge's Findings and Recommendation within either thirteen-day period. Having reviewed the Findings and Recommendation filed by Magistrate Judge VanDervort, the court adopts the findings and recommendations contained therein. Accordingly, the court hereby:

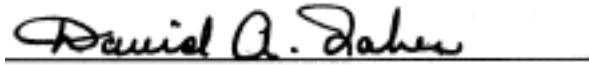
1. **GRANTS** defendants' "Motion to Dismiss the Federal Bureau of Prisons and Alderson Federal Prison Camp for Failure to State a Claim and Lack of Subject Matter Jurisdiction" (Doc. # 14);
2. **GRANTS** the United States' "Motion to Dismiss Defendants Natalie Wright, M.D. and Patricia McMichael and Substitute the United States" (Doc. # 16);
3. **GRANTS** the United States' Motion to Dismiss for Lack of Subject Matter Jurisdiction (Doc. # 19);
4. **GRANTS** "Defendants Wright and McMichael's Motion to Dismiss, or in the Alternative, Motion for Summary Judgment" (Doc. # 24); and

5. **DISMISSES** plaintiff's complaint and directs the Clerk to remove this case from the court's active docket.

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to plaintiff, pro se, and counsel of record.

**IT IS SO ORDERED** this 23rd day of July, 2012.

ENTER:



David A. Faber

Senior United States District Judge