

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

ANGELA CHRISTINE LAMBERT,  
Plaintiff,

v.

Civil Action No: 1:11-0182

NOVOPHARM, LTD.,  
Defendant.

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. § 636(b)(1)(B). Magistrate Judge VanDervort submitted to the court his Findings and Recommendation on October 13, 2011, in which he recommended that the District Court deny Plaintiff's Motion to Proceed Without Prepayment of Fees, grant Plaintiff's Motion to Withdraw her Complaint, dismiss the Complaint without prejudice, and remove this matter from the court's active 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 the seventeen-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 **GRANTS** Plaintiff's Motion to Withdraw her Complaint, **DISMISSES** Plaintiff's Complaint without prejudice, and **DIRECTS** the Clerk to remove this case from the court's active docket. The Court also **DENIES** Plaintiff's Motion to Proceed Without Prepayment of Fees. (Doc. # 2).

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 2nd day of February, 2012.

**ENTER:**



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David A. Faber

Senior United States District Judge