

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

BRYON MEEKS,

Plaintiff,

v.

CIVIL ACTION NO. 2:20-cv-00583

BOBBY MCCLUNG, et al.,

Defendants.

**ORDER**

Pending before the Court is Plaintiff Bryon Meeks's ("Plaintiff") Motion for Emergency/Expedited Mandatory Injunction. (ECF No. 18.) By Standing Order entered in this case on September 9, 2020, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation for disposition ("PF&R"). Magistrate Judge Tinsley filed his PF&R on September 9, 2021, recommending that this Court deny Plaintiff's motion. (ECF No. 23.)

This Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of *de novo* review. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a *de novo* review when a party "makes general

and conclusory objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982).


Objections to the PF&R were due on September 27, 2021. (ECF No. 23.) To date, Plaintiff has failed to submit any objection in response to the PF&R, thus constituting a waiver of *de novo* review and Plaintiff's right to appeal this Court's order.

Accordingly, the Court **ADOPTS** the PF&R, (ECF No. 23), and **DENIES** Plaintiff's Motion for Emergency/Expedited Mandatory Injunction. (ECF No. 18.) This matter shall remain **REFERRED** to Magistrate Judge Tinsley for further pretrial management and submission of PF&Rs.

**IT IS SO ORDERED.**

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER:        October 4, 2021



THOMAS E. JOHNSTON  
UNITED STATES DISTRICT JUDGE