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

BECKLEY DIVISION

MAURICE MINTER,

        Petitioner,

v.   CIVIL ACTION NO.   5:13-cv-24164

WARDEN JOEL ZIEGLER,

        Respondent.

MEMORANDUM OPINION AND ORDER

Petitioner, Maurice Minter, pro se, filed a "Motion to Correct Sentence" [ECF 1], which the Court construed as a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. By Standing Order entered on April 8, 2013, and filed in this case on October 16, 2013, this case was referred to United States Magistrate Judge Dwane L. Tinsley for Proposed Findings of Fact and Recommendations ("PF&R") for disposition.   On December 31, 2013, Magistrate Judge Tinsley filed a PF&R recommending that the Court dismiss this case without prejudice for lack of prosecution (ECF 6).

The Court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). The Court is not, however, 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).   In addition, this

Court need not conduct a de novo review when a petitioner "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 January 17, 2014. To date no objections have been filed.

Accordingly, the Court **ADOPTS** the PF&R [ECF 6], **DISMISSES WITHOUT PREJUDICE** the Petition [ECF 1], and **DIRECTS** the Clerk to remove this case from the Court's docket.

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: April 8, 2014

THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE