

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

ALFREDA MCCLLOUD,)	
)	
Plaintiff,)	
)	
v.)	CIV. ACT. NO. 3:19-cv-201-ECM
)	(WO)
EAST ALABAMA MEDICAL CENTER,)	
)	
Defendant.)	

MEMORANDUM OPINION and ORDER

Now pending before the court is the Report and Recommendation of the Magistrate Judge (doc. 25) which recommends that this case be with prejudice for the Plaintiff’s failure to state a claim. On October 10, 2020, the Plaintiff filed “a reply” to the Recommendation which the Court construes as objections to the Recommendation. (Doc. 26).

When a party objects to a Magistrate Judge’s Report and Recommendation, the district court must review the disputed portions *de novo*. 28 U.S.C. § 636(b)(1). The district court “may accept, reject, or modify the recommended disposition; receive further evidence; or resubmit the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b)(3). *De novo* review requires that the district court independently consider factual issues based on the record. *Jeffrey S. ex rel. Ernest S. v. State Bd. of Educ.*, 896 F.2d 507, 513 (11th Cir. 1990). However, objections to the Magistrate Judge’s Report and Recommendation must be sufficiently specific in order to warrant *de novo* review. *See Macort v. Prem, Inc.*, 208 F. App’x 781, 783-85 (11th Cir. 2006). Otherwise, a Report and Recommendation is reviewed for clear error. *Id.*

The Court has carefully reviewed the Recommendation of the Magistrate Judge, and the Plaintiff's objections. In her objections, the Plaintiff simply objects to the dismissal of her complaint without any specificity and without stating the bases for her objections. *See* Doc. 26. She does not point to any legal error committed by the Magistrate Judge but offers only her conclusory assertions that she has been discriminated against by the Defendant. The Plaintiff does not point to any error committed by the Magistrate Judge, but instead re-offers a recitation of the claims made in her amended complaint. Consequently, the Recommendation is reviewed for clear error, and the Court finds that the Plaintiff's objections are due to be overruled.

Accordingly, for the reasons as stated and for good cause, it is

ORDERED as follows:

1. the Plaintiff's objections (doc. 26) are OVERRULED;
2. the Recommendation of the Magistrate Judge (doc. 25) is ADOPTED; and
3. this case is DISMISSED with prejudice for failure to state a claim.

A final judgment will be entered.

DONE this 3rd day of November, 2020.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE