IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

NIGELLUS DEVONTE DAVIS — **PLAINTIFF**

v. — **CAUSE NO. 1:19CV963-LG-RPM**

WALMART — **DEFENDANT**

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THE COURT are the [7] Report and Recommendations entered in this matter by Magistrate Judge Robert P. Myers, Jr. on March 9, 2021. This lawsuit involves allegations by *pro se* Plaintiff Nigellus Devonte Davis that Defendant Walmart "kept" a personal check of his that he attempted to cash and failed to refund him $8.00 for a 2-liter bottle of Sprite. (*See generally* Compl., ECF No. 1).[1] After conducting an Omnibus hearing which Plaintiff did not attend, Judge Myers recommended that the instant lawsuit be dismissed without prejudice for failure to prosecute. A copy of the Report and Recommendations was mailed to Plaintiff, but he did not timely file objections.

Where no party has objected to the Magistrate Judge's report and recommendation, the Court need not conduct a *de novo* review of it. *See* 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made."). In such cases, the Court need only satisfy itself that there is no clear

[1] Plaintiff asks for, *inter alia*, "500,000,000,000.00 Billion" in damages, as well as a personal Walmart store, a 2020 Bentley convertible, and a residence in Dubai. (Compl., 4-5, ECF No. 1).

error on the face of the record. *Douglass v. United Serv. Auto Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having conducted the required review, the Court finds that Judge Myers's Report and Recommendations are neither clearly erroneous nor contrary to law.

IT IS THEREFORE ORDERED AND ADJUDGED that the [7] Report and Recommendations are **ADOPTED** as the opinion of this Court. This lawsuit is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED AND ADJUDGED this the 31st day of March, 2021.

s/ *Louis Guirola, Jr.*

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE