

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
CASE NO. 2:20-CV-00087-M

MICHAEL WAYNE HILL,)
)
 Plaintiff,)
)
 v.)
)
 WINDSOR POLICE DEPARTMENT,)
)
 Defendant.)


ORDER

This matter is before the court on the Memorandum and Recommendation (“M&R”) of United States Magistrate Judge Robert B. Jones, Jr. [DE-4] to dismiss this action for failure to state a claim for which relief may be granted. Pro se plaintiff filed a “summary statement” in apparent response to the M&R [DE-9]. The Plaintiff “conclude[s] these fraud documents as falsification. These are acts of precluding the axiom of my identity,” lists the names of four purported defendants, including the Windsor Police Department, states that the action is brought pursuant to “Relevant State Law,” and indicates that “[t]hese acts has caused deprivation to my effect that now defines itself.” DE-9 at 1-3.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); *see* 28 U.S.C. § 636(b). Absent timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond*, 416 F.3d at 315 (citation and quotation omitted).

The court has reviewed the M&R and the record in this case and is satisfied that there is no clear error on the face of the record. As currently styled, Plaintiff's complaint fails to state a claim for which relief may be granted and Plaintiff's summary statement [DE-9] did nothing to cure this. Accordingly, the court ADOPTS the M&R [DE-4] and for the reasons state therein DISMISSES this action WITH PREJUDICE. The Clerk of Court is DIRECTED to close the case.

SO ORDERED this the 18th day of February, 2021.


RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE