

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:14-CV-330-FL

RACHEL BARRETT)
)
 Plaintiff,)
)
 v.)
)
 CRANBERRY FINANCIAL; CAPITAL)
 CROSSING; BANK OF AMERICA, INC.;)
 WAYNE REALTY; and CAPCAR)
 REALTY, LLC,)
)
 Defendants.)

ORDER

This matter comes before the court on the memorandum and recommendation (“M&R”) of United States Magistrate Judge Robert B. Jones, pursuant to 28 U.S.C. § 636(b)(1)(C) and Federal Rule of Civil Procedure 72(b), wherein it is recommended that the court dismiss the case upon frivolity review under 28 U.S.C. § 1915(e)(2)(B). Plaintiff, filing pro se, has not filed objections to the M&R, and the time within which to make any objection has expired. In this posture, the matter is ripe for ruling.

Upon a careful review of the M&R, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Because no objections have been filed, the court reviews the magistrate judge’s findings and conclusions only for clear error, and need not give any explanation for adopting the M&R. Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005); Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983).

Here, the magistrate judge recommends that plaintiff's complaint be dismissed for lack of subject matter jurisdiction and failure to state a claim upon which relief may be granted. Upon careful review of the M&R, the court finds the magistrate judge's analysis to be thorough, and there is no clear error. The court hereby ADOPTS the recommendation of the magistrate judge as its own, and, for the reasons stated therein, plaintiff's complaint is DISMISSED for lack of subject matter jurisdiction and failure to state a claim upon which relief may be granted. The clerk of court is DIRECTED to close the case.

SO ORDERED, this the 7th day of August, 2014.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive, flowing style.

LOUISE W. FLANAGAN
United States District Court Judge