

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-159-BO

NICOLE RUBY BRIDGEWATER,)
)
 Plaintiff,)
)
 v.)
)
)
 5800 SEWARD, LLC,)
)
 Defendant.)

ORDER

This cause comes before the Court on the memorandum and recommendation by United States Magistrate Judge Robert T. Numbers, II. [DE 4]. On June 10, 2019, Judge Numbers recommended that plaintiff be permitted to proceed *in forma pauperis* and that her claims be dismissed. *Id.* No objections to the M&R have been filed and the matter is ripe for review. For the reasons that follow, the M&R [DE 4] is ADOPTED and plaintiff's complaint is DISMISSED as frivolous.

BACKGROUND

In April 2019, plaintiff filed a *pro se* application to proceed *in forma pauperis* under 28 U.S.C. § 1915. [DE 1]. Plaintiff alleges that there is an improper cloud over the title to the property at 183 Mill Creek Drive in Youngsville, North Carolina. She alleges that defendant took improper actions in relation to the property's mortgage note and deed, that defendant did not follow its own loan procedures, and that defendant violated her constitutional rights and defrauded her. In June 2019, Judge Numbers entered the instant memorandum and recommendation (M&R), granting plaintiff's application to proceed *in forma pauperis* and recommending that plaintiff's claims be

dismissed as frivolous under 28 U.S.C. § 1915(e)(2)(B). [DE 4]. Plaintiff did not timely file a response to the M&R.

DISCUSSION

A district court is required to review *de novo* those portions of an M&R to which a party timely files specific objections or where there is plain error. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985). “[I]n the absence of a timely filed objection, a district court need not conduct *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 v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (internal quotation and citation omitted).

No party has objected to the M&R and the time for doing so has passed. The Court has reviewed the M&R and is satisfied that there is no clear error on the face of the record. Accordingly, the memorandum and recommendation is ADOPTED.

CONCLUSION

The memorandum and recommendation of Magistrate Judge Numbers [DE 4] is ADOPTED and plaintiff’s complaint is DISMISSED WITHOUT PREJUDICE.

SO ORDERED, this 1 day of July, 2019.



TERRENCE W. BOYLE
CHIEF UNITED STATES DISTRICT JUDGE