

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

NO. 5:21-CV-418-FL

ERIC WAYNE YOUNG, and WILMA)
JEAN YOUNG,)

Plaintiffs,)

v.)

LAKE ROYALE ASSOCIATION, and)
LAKE ROYALE PRIVATE COMPANY)
POLICE,)

Defendants.)

ORDER

This matter is before the court for review of plaintiffs’ pro se complaint (DE 1-1) pursuant to 28 U.S.C. § 1915(e).¹ United States Magistrate Judge Kimberly A. Swank entered order granting plaintiffs’ motion to proceed in forma pauperis and memorandum and recommendation (“M&R”), pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), wherein it is recommended that plaintiffs’ complaint be dismissed. Plaintiffs did not file objections to the M&R, and the time within which to make any objection has expired. In this posture, the issues raised are 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

¹ Plaintiffs previously have brought suit regarding their disputes with the Lake Royale Property Owners Association and related entities, see Young v. Lake Royale Prop. Owners Ass’n, No. 5:19-CV-483-FL, 2021 WL 3853258, at *10 (E.D.N.C. Aug. 27, 2021) (dismissing plaintiffs’ complaint), as they recognize in their instant proposed complaint. (See, e.g., Suppl. Compl. (DE 1-2) at 1).

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 plaintiffs' claims for retaliation in violation of the Fair Housing Act, 42 U.S.C. § 3617, be dismissed for failure to state a claim and that their state law claims be dismissed upon declining to exercise supplemental jurisdiction under 28 U.S.C. § 1367. 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. For the reasons stated therein, plaintiffs' claims are DISMISSED. The clerk is DIRECTED to close this case.

SO ORDERED, this the 29th day of July, 2022.


LOUISE W. FLANAGAN
United States District Judge