

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RICKEY BANKS, )  
Plaintiff, )  
v. )  
RYAN ROSS, Executive Director ) 1:24-cv-291  
Open Door Ministries, )  
ELISABETH FISHER WATERS, )  
Director of Arthur Cassell )  
Memorial Tran. House, )  
KELLYCE HEBERT, Clinical Case )  
Manager, Arthur Cassell, )  
ANDREW PROCHET, Men's Shelter )  
Director, MICHAEL HUGGINS, )  
Defendants. )

## **ORDER**

On February 3, 2025, the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 7, 8). No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS HEREBY ORDERED** that the Magistrate Judge's Recommendation, (Doc. 7), is **ADOPTED**. **IT IS FURTHER ORDERED** that Plaintiff's federal law claims are **DISMISSED WITHOUT PREJUDICE**

pursuant to 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim on which relief may be granted and for frivolity.

**IT IS FURTHER ORDER** that Plaintiff's state law claims are **DISMISSED WITHOUT PREJUDICE** to re-filing in state court.

Furthermore, this action is hereby **DISMISSED**.

A Judgment dismissing this action will be filed contemporaneously with this Order.

This the 7th day of March, 2025.

William L. Ostan, Jr.  
United States District Judge