

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:15-cv-00399-DCK

IRIS K. PRITCHARD and JOSEPH P.)
PRITCHARD,)
)
Plaintiffs,)
)
vs.)
)
AUTOMOBILE INSURANCE COMPANY)
OF HARTFORD CONNECTICUT,)
)
Defendant.)
_____)

ORDER

This matter is before the Court on a *limited portion* of the Memorandum and Recommendation (“M&R”) and Order (Doc. No. 58) entered in this case by Magistrate Judge David C. Keesler related to Plaintiff Joseph P. Pritchard’s Motion to Withdraw Stipulation (Doc. No. 52), which he filed *pro se*. The M&R and Order issued by the Magistrate Judge on February 3, 2017, expressly advised the parties of their ability to file written objections to the M&R within fourteen (14) days after service. None of the parties submitted any objections, and the time for doing so has long expired.

The Federal Magistrate Act states that a district court “shall make a *de novo* determination of those portions of the report or specific proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983). *De novo* review is not required, however, “when a party makes general or conclusory objections that do not direct the court to a specific error in the magistrate judge’s proposed findings and recommendations.” Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982); see also Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005). Furthermore, no review


is required of those portions of the M&R which are not subject to an objection. Homesley v. Freightliner Corp., 122 F. Supp. 2d 659, 660 (W.D.N.C. 2000) (citing Thomas v. Arn, 474 U.S. 140, 149 (1985)).

The M&R and Order at bar thoroughly details the procedural and factual history of this case. Since no party has objected to the M&R, the Court reviewed this procedural and factual history for plain error and finds none. Likewise, the Court reviewed the M&R's conclusion that, as a matter of law, Plaintiff J.P. Pritchard was precluded from withdrawal of consent to Magistrate Judge jurisdiction under the uncontested facts of this case. The Court similarly finds no error in this conclusion and therefore adopts the M&R's recommendation that this Court DENY Plaintiff J.P. Pritchard's Motion to Withdraw Consent to Magistrate Judge Jurisdiction because J.P. Pritchard has failed to show good cause or extraordinary circumstances for doing so.

IT IS THEREFORE ORDERED that the Court ADOPTS the M&R (Doc. No. 58) in its entirety, and Plaintiff J.P. Pritchard's Motion to Withdraw Consent to Magistrate Judge Jurisdiction (Doc. No. 52) is DENIED for the reasons set forth in the M&R. The Court notes that none of the other contents of the M&R and Order are affected by this Court's ruling, including that portion of the order dismissing Plaintiff's case, a decision over which the Magistrate Judge had exclusive jurisdiction to rule.

IT IS SO ORDERED.

Signed: May 11, 2017


Frank D. Whitney
Chief United States District Judge

