IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Curtis L. King, Plaintiff, -versus- Jon Ozmint; Warden Cartledge; Major Lewis; Capt. Mursier; Lt. Steven; Lt. Croutch; Sgt. Macky; Sgt. Writ; Male Officer Young; Ofc. Curhley; Dr. McCree; RN Crawford; RN Andrew; RN Black; and Cynthia Chernecki Defendants.	)	C.A. No. 0:11-1455-TLW-PJG ORDER

The Plaintiff has brought this *pro se* action against the Defendants under Title 42, United States Code, Section 1983. This matter is now before the undersigned for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Paige J. Gossett, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2)(D.S.C.). In her Report, Magistrate Judge Gossett recommends the Defendants' motion for summary judgment (Doc. # 59) be granted in part and denied in part and that Plaintiff's motions for a permanent injunction (Doc. # 71) and for an entry of default (Doc. # 80) be denied. The Report further recommends that in light of the Court's order granting Plaintiff leave to amend his Complaint, if this recommendation is adopted, that an amended scheduling order be issued. Both Plaintiff and Defendants have filed objections to the Report. Additionally, Plaintiff has filed a Reply to Defendant's objections.

In conducting this review, the Court applies the following standard:

> The magistrate judge makes only a recommendation to the Court, to which any party may file written objections. . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a de novo determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F.Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of this standard, the Court has reviewed, de novo, the Report and the objections thereto. The Court accepts the Report.

THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 109); Defendants' objections are **OVERRULED** (Doc. # 119); Plaintiff's objections are **OVERRULED** (Doc. # 121); Defendants' motion for summary judgment (Doc. # 59) is **GRANTED** in part and **DENIED** in part, as outlined in the Report; and Plaintiff's motions for a permanent injunction (Doc. # 71) and for an entry of default (Doc. # 80) are **DENIED**. In light of the Court's Order granting Plaintiff leave to amend his Complaint, and in light of this Court's adoption of the Report and Recommendation, the Magistrate Judge is requested to issue an amended scheduling order in this case.

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

September 18, 2012
Florence, South Carolina