

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Derrick Gatson,)	C/A No. 0:14-816-JFA-PJG
)	
Petitioner,)	
)	
v.)	ORDER
)	
State of South Carolina,)	
)	
Respondent.)	
_____)	

The *pro se* petitioner, Derrick Gatson, is an inmate with the South Carolina Department of Corrections. He seeks a writ of mandamus to compel the State court to provide grand jury documents and he seeks release from confinement.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation and opines that the petition should be dismissed. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The petitioner was advised of his right to file objections to the Magistrate Judge’s Report and Recommendation. The petitioner did not file specific objections to the Report.

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

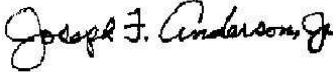
Rather, he simply discussed service by the United States Marshals on the respondent and other agencies. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

The Magistrate Judge correctly opines that this court has no jurisdiction under 28 U.S.C. § 1361 or § 1651 to grant relief to the petitioner.

The court has carefully reviewed the record in this case, the applicable law, and the Report and Recommendation, and finds the Magistrate's suggested disposition is proper. For the foregoing reasons, the Report and Recommendation is adopted and incorporated herein by reference and this action is dismissed.

IT IS SO ORDERED.

April 30, 2014
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge