Belton v. West Marine Inc Doc. 28

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

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| Cheryl Belton,<br><br>Plaintiff,<br><br>v.<br><br>West Marine, Inc.,<br><br>Defendant. | ) | C/A No.: 0:15-cv-00167-TLW-SVH<br><br><br><br>**ORDER** |

Plaintiff Cheryl Belton brought this action *pro se* pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq*. (Title VII), alleging racial discrimination against her former employer, Defendant West Marine, Inc. (ECF No. 1.) Defendant thereafter moved to dismiss Plaintiff's hostile work environment and retaliation claims[1] pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(b)(1). (ECF No. 12.) This matter is presently before the Court for review of the Report and Recommendation (R&R; ECF No. 25) filed by U.S. Magistrate Judge Shiva Hodges, to whom this case is assigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2), DSC. In the R&R, the Magistrate Judge recommends granting Defendant's Partial Motion to Dismiss. Objections were due by September 21, 2015, and no objections were filed.

This Court is charged with conducting a *de novo* review of any portion of the R&R to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the

[1] Plaintiff's Complaint did not expressly state a retaliation claim; however, Defendant moved for dismissal to the extent that Plaintiff was attempting to assert such a claim.



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R&R of the Magistrate Judge, the 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 Court has carefully reviewed the Magistrate Judge's R&R, the record in this case, and the analysis asserted by the Defendant. Again, the Court notes that Plaintiff failed to file an objection to the R&R recommending that Defendant's Partial Motion to Dismiss be granted. Accordingly, the R&R is hereby **ACCEPTED** and it is **ORDERED** that Defendant's Partial Motion to Dismiss (ECF No. 12) is **GRANTED** for the reasons set forth in the R&R.

*s/Terry L. Wooten*
Chief United States District Judge

November 13, 2015
Columbia, South Carolina