

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

Thomas Lamont Irvin, Jr.,

Plaintiff,

v.

Greenwood County Detention Center,

Defendant.

C/A No. 0:17-762-JFA-PJG

ORDER

On or about March 20, 2017, Thomas Lamont Irvin, Jr. (“Plaintiff”) filed this action against Defendant Greenwood County Detention Center. (ECF No. 1). In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), D.S.C., the case was referred to the Magistrate Judge.

The Magistrate Judge assigned to this action¹ prepared a thorough Report and Recommendation (“Report”) and opines that this Court should summarily dismiss Plaintiff’s complaint without prejudice and without issuance and service of process. (ECF No. 7). The Report sets forth in detail the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation. Petitioner was advised of his right to object to the Report, which was entered on the docket and mailed to Plaintiff on April 21, 2017. (ECF Nos. 7–8). The mail was returned as undeliverable, so the documents were re-mailed to an updated address for Plaintiff on May 11, 2017. (ECF Nos. 12–14). In addition, the deadline to file objections was extended for another fourteen days from the date of service; however, no objections were filed. (ECF Nos. 14–16). Thus, this matter is ripe for the Court’s review.

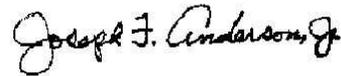
¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the 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 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). In the absence of specific objections to the Report of the Magistrate Judge, this Court is not required to give an explanation for adopting the recommendation. See *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, as well as the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, the Court adopts the Report and Recommendation (ECF No. 7) and summarily dismisses Plaintiff's case without prejudice, and without issuance and service of process.

IT IS SO ORDERED.

August 22, 2017
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge