

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA**

|                            |   |                              |
|----------------------------|---|------------------------------|
| Trovon Keith,              | ) |                              |
|                            | ) |                              |
| Plaintiff,                 | ) | Civil Action No. 1:14-36-RMG |
|                            | ) |                              |
| vs.                        | ) |                              |
|                            | ) |                              |
| Captain Degeorgis, et al., | ) | <b>ORDER</b>                 |
|                            | ) |                              |
| Defendants.                | ) |                              |
|                            | ) |                              |
|                            | ) |                              |
|                            | ) |                              |

This matter comes before the Court on the Report and Recommendation (“R & R”) of the Magistrate Judge (Dkt. No. 85), recommending that Defendants’ Motion for Summary Judgment (Dkt. No. 59) be granted. Plaintiff was advised that he could file written objections to the R & R within 14 days of service of the R & R, and a failure to timely respond could result in a limited review of the record and a waiver of the right to appeal the judgment of the District Court. (Dkt. No. 85 at 10). Plaintiff filed no objections to the R & R.

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, 270–71 (1976). The Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). This Court is charged with making a de novo determination of those portions of the R & R to which specific objection is made. Here, however, because no objection has been made, this Court “must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416

F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P 72 advisory committee note). Moreover, in the absence of specific objections to the R & R, the Court need not give any explanation for adopting the Magistrate Judge's analysis and recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983).

The Court has carefully reviewed the pleadings, the parties' briefing, and the R & R, and concludes that the Magistrate Judge correctly applied the relevant law to the operative facts in this matter. THEREFORE, the Court, **ADOPTS** the Magistrate Judge's Report and Recommendation, (Dkt. No. 85), as the order of this Court. Accordingly, Defendant's motion (Dkt. No. 59) is **GRANTED** and this action is dismissed with prejudice..

**IT IS SO ORDERED.**



---

Richard Mark Gergel  
United States District Judge

May 1, 2015  
Charleston, South Carolina