

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Leo McClam,)
)
Plaintiff,)
)
vs.) Case No. 1:15-cv-01190-TLW
)
Mr. Sam Farier, Charge Nurse; Mr. NFN)
Cross, Doctor; Mr. NFN Livingston,)
Officer; and Kia Wilson, Attorney for Horry)
County, each defendant sued in his/her own)
personal and individual capacities,)
)
Defendants.)
_____)

ORDER

Plaintiff Leo McClam, proceeding pro se and in forma pauperis, brought this action pursuant to 42 U.S.C. § 1983 alleging a violation of his constitutional rights. (Doc. #1). On April 13, 2015, Plaintiff filed a motion to consolidate this case with two of his other pending cases. (Doc. #9). This matter is now before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Shiva V. Hodges, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(e), (D.S.C.). In the Report, the Magistrate Judge recommends that this Court dismiss the case without prejudice and without issuance and service of process. (Doc. #7). Objections to the Report were due by April 13, 2015. Plaintiff failed to file objections, and this matter is now ripe for disposition.

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

to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendation. See Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, "a district court need not conduct a de novo review, but instead 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 & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

The Court has carefully reviewed the Report in accordance with this standard, and it concludes that the Magistrate Judge accurately summarizes the case and the applicable law. It is therefore **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. #7). For the reasons articulated by the Magistrate Judge, this case is **DISMISSED** without prejudice and without issuance and service of process. Plaintiff's motion to consolidate is therefore deemed **MOOT**. (Doc. #9).

IT IS SO ORDERED.

s/ Terry L. Wooten

Terry L. Wooten
Chief United States District Judge

May 5, 2015
Columbia, South Carolina