

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

Dwight Alonso Littles, Jr.,)
)
 Plaintiff,)
)
 vs.)
)
 Scott Bodiford and County Councilmen,)
)
 Defendants.)
_____)

Case No.: 1:22-cv-468-JD-SVH

OPINION & ORDER

This matter is before the Court with the Report and Recommendation of United States Magistrate Judge Shiva V. Hodges (“Report and Recommendation”) (DE 37), made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2) of the District of South Carolina.¹ Plaintiff Dwight Alonso Littles, Jr. (“Littles” or “Plaintiff”), proceeding *pro se* and *in forma pauperis*, brought this action pursuant to 42 U.S.C. § 1983 related to his detention at the Greenville County Detention Center during the COVID-19 pandemic. (DE 9.) Plaintiff seeks early release and for a fine to be imposed on Defendants of \$50,000. (DE 9 p. 7.)

The Report and Recommendation was issued on July 5, 2022, recommending this action be dismissed in accordance with Fed. R. Civ. P. 41(b) because Plaintiff failed to comply with the Proper Form Order issued on February 22, 2022. (DE 6.) Plaintiff has not filed an objection to the Report and Recommendation. In the absence of objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. See Camby

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (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. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). The 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).

Accordingly, after a thorough review of the Report and Recommendation and the record in this case, the Court adopts the Report and Recommendation and incorporates it herein.²

It is, therefore, **ORDERED** that Plaintiff’s Complaint is dismissed without prejudice.

IT IS SO ORDERED.



Joseph Dawson, III
United States District Judge

Florence, South Carolina
November 2, 2022

NOTICE OF RIGHT TO APPEAL

Petitioner is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.

² The magistrate judge issued a previous Report and Recommendation on April 19, 2022, recommending dismissal of Defendants “County Councilmen” with prejudice considering Plaintiff had already been given an opportunity to amend his complaint. (DE 22.) Plaintiff filed an objection to the Report and Recommendation, attempting to name the specific councilmen as Defendants. (DE 16). The April 19, 2022, Report and Recommendation and Plaintiff’s objections are rendered moot by the present Order.