

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

Bevan Xavier Brooks, Sr.,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No.: 2:11-cv-1670-TLW-BHH
)	
Cpt. Charles Govan, Ms. Sabasco,)	
Ofc McDuffe, Ofc Rhodan, Ofc Jamison,)	
Ofc Hampton, and Chief Horace James,)	
)	
Defendants.)	
)	

ORDER

On July 12, 2011, the plaintiff, Bevan Xavier Brooks, Sr. (“plaintiff”), proceeding pro se, filed this action pursuant to 42 U.S.C. § 1983. (Doc. # 1). The case was referred to United States Magistrate Judge Bruce Howe Hendricks pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2), DSC.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Doc. # 27). On December 1, 2011, the Magistrate Judge issued the Report. In the Report, the Magistrate Judge recommends that the District Court dismiss this action with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for lack of prosecution and for failure to comply with this Court’s orders. (Doc. # 27). The plaintiff filed no objections to the Report. Objections were due on December 19, 2011.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report and Recommendation 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 Report and Recommendation of the Magistrate Judge, this 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 Report and Recommendation. It is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED**. (Doc. # 27). For the reasons articulated by the Magistrate Judge, this action is **DISMISSED** with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for lack of prosecution and for failure to comply with this Court's orders.¹

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

January 18, 2012
Florence, South Carolina

¹ On October 13, 2011, the defendants moved for summary judgment. (Doc. # 23). On October 26, 2011, an order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), was mailed to the plaintiff's last known address. (Docs. 24, 25). The envelope containing this order was returned to the Court as the plaintiff is no longer incarcerated at Orangeburg-Calhoun Regional Detention Center. (Doc. # 26). The Report and Recommendation also was mailed to the plaintiff's last known address and returned as undeliverable. (Docs. 28, 29).