

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Civil Action No.: 2:13-cv-162-BHH

Nelson S. Chase, Esq.,)	
)	
)	
Plaintiff,)	
vs.)	<u>Opinion and Order</u>
)	
LOP Capital, LLC, Strategic Lending)	
Solutions, LLC, Brian Knight, and)	
Michael Loprieno,)	
)	
Defendants.)	
)	

This matter is before the Court on the Report and Recommendation (“Report”) (ECF No. 145) of United States Magistrate Judge Kevin F. McDonald recommending that the defendant’s motion for partial summary judgment as to the plaintiff’s third and fourth causes of actions (ECF No. 112) be granted.

The plaintiff, Nelson S. Chase (“Chase”), is a licenced South Carolina attorney, but because he is representing himself, the action is considered *pro se* and was automatically referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A) and Local Civil Rule 73.02(B)(2)(e). In his Report, the Magistrate Judge recommends that the defendant’s motion for partial summary judgment (ECF No. 112) be granted as to plaintiff’s third and fourth causes of action. Objections to the Report were due by October 14, 2014. The plaintiff has filed no Objections.

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. See *Mathews v. Weber*, 423 U.S.

261 (1976). The Court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a 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 to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). In the absence of a timely filed Objection, 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 & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

After a careful review of the record, the applicable law, and the Report of the Magistrate Judge, the Court finds no clear error. Accordingly, the Court **ACCEPTS** and incorporates the Report, (ECF No. 145), by reference into this Order. It is therefore **ORDERED** that the defendant’s motion for partial summary judgment as to the plaintiff’s third and fourth causes of actions (ECF No. 112) be granted, and that the matter be returned to the Magistrate Judge for further pretrial proceedings.

IT IS SO ORDERED.

/s/Bruce Howe Hendricks
United States District Judge

October 16, 2014
Greenville, South Carolina