## UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA

Alecia Ghouralal,	)
Plaintif	Civil Action No. 2:21-203-BHH
v. Hung Nguyen; Scott Hendrix; Thomas Nelson; United States; and John Travers, Defendan	OPINION AND ORDER  t. )

This matter is before the Court for review of the Report and Recommendation ("Report") of United States Magistrate Mary Gordon Baker, which was made in accordance with 28 U.S.C. § 636(b)(1) and Local Rule 73.02(B)(2) for the District of South Carolina. On October 28, 2021, the Magistrate Judge issued her Report recommending that Plaintiff's allegations be summarily dismissed as frivolous and for failure to state a plausible claim upon which relief may be granted. (ECF No. 13.)

Attached to the Magistrate Judge's Report was a notice advising Plaintiff of her right to file written objections to the Report within fourteen days of being served with a copy. (*Id.* at 7.) Plaintiff filed no objections and the time for doing so expired on November 15, 2021. (*See id.* (noting objections were due by November 12, 2021, with an additional three days to be added if served by mail).)

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this Court. See 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 Judge. 28 U.S.C. § 636(b)(1). The Court may also receive further evidence or recommit the matter to the Magistrate Judge with

instructions. *Id.* The Court is charged with making a *de novo* determination of those portions of the Report to which specific objections are made.

In the absence of objections to the Magistrate Judge's Report, this Court is not

required to provide an explanation for adopting the recommendation. See Camby v.

Davis, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "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) (quoting Fed. R. Civ. P. 72 advisory committee's note).

Here, because no objections have been filed, the Court has reviewed the

Magistrate Judge's findings and recommendations for clear error. Finding none, the

Court agrees with the Magistrate Judge that Plaintiff's claims against Defendant are

subject to summary dismissal for the reasons stated in the Report. Accordingly, the

Report and Recommendation is adopted and incorporated herein by reference and this

action is summarily DISMISSED.

Plaintiff is hereby advised that the continued filing of frivolous, malicious,

abusive, or vexatious actions may result in the imposition of a pre-filing

injunction and other sanctions as provided by law.

IT IS SO ORDERED.

<u>/s/Bruce Howe Hendricks</u> United States District Judge

December 3, 2021 Charleston, South Carolina

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## NOTICE OF RIGHT TO APPEAL

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.

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