

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

Juanita D. Wilson, )  
 )  
 Plaintiff, ) Civil Action No. 2:22-cv-3595-BHH  
 )  
 v. )  
 )  
 Carrington Mortgage, S.E., )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

This matter is before the Court upon Plaintiff Juanita D. Wilson's ("Plaintiff") pro se complaint alleging that Defendant Carrington Mortgage, S.E. ("Defendant") violated her rights under the Fair Credit Reporting Act ("FCRA"), 15 U.S.C. §§ 1681-1681x. On March 14, 2023, Defendant filed a motion to dismiss for failure to state a claim. (ECF No. 18.) The matter was referred to a United States Magistrate Judge for preliminary review, in accordance with 28 U.S.C. § 636(b)(1)(A) and (B) Local Civil Rule 73.02(B)(2)(g), D.S.C.

On October 23, 2023, Magistrate Judge Molly H. Cherry issued an order and Report and Recommendation (“Report”), outlining the issues and granting Plaintiff fourteen days to file an amended complaint to cure the identified deficiencies in her pleading. (ECF No. 24.) The Magistrate Judge also recommended that, if Plaintiff failed to file an amended complaint within the time permitted, the Court grant Defendant’s motion to dismiss and dismiss this action without prejudice. Attached to the Magistrate Judge’s Report was a notice advising the parties of the right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final

determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “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.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, because Plaintiff failed to file an amended complaint within the time permitted, and because no objections to the Report have been filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge’s well-reasoned analysis. Accordingly, the Court adopts and specifically incorporates the Magistrate Judge’s Report (ECF No. 24), and the Court hereby grants Defendant’s motion to dismiss (ECF No. 18) and dismisses this action without prejudice.

**IT IS SO ORDERED.**

/s/Bruce H. Hendricks  
United States District Judge

November 13, 2023  
Charleston, South Carolina