

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

Grace F. Aderinto,)	C/A No. 3:08-2530-JFA-PJG
)	
Plaintiff,)	
v.)	
)	ORDER
Officer Sessions and Officer Curvan,)	
)	
Defendants.)	
_____)	

This matter is before the court for review of the Magistrate Judge’s Report and Recommendation.¹ The *pro se* plaintiff, Grace F. Aderinto, brings this action pursuant to 42 U.S.C. § 1983 asserting, inter alia, claims for false arrest and confiscation of a weapon.

In a detailed Report and Recommendation, the Magistrate Judge suggests that the defendants’ motion for summary judgment be granted and that the plaintiff’s motion for summary judgment be denied. Specifically, the Magistrate Judge states that the plaintiff fails to allege any facts to state a constitutional violation concerning her alleged arrest or the confiscation of the weapon, which plaintiff contends was her walking stick. Because the Magistrate Judge fairly and accurately summarizes the facts and standards of law, such will

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. 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. *Mathews v. Weber*, 423 U.S. 261 (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, 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. *See* 28 U.S.C. § 636(b)(1).

not be repeated herein.


The plaintiff was advised of her right to file objections to the Report and Recommendation, which was entered on the docket on July 30, 2009. However, she has not done so within the time limits prescribed by the federal rules.

After carefully reviewing the applicable law, the record in this case, and the Report and Recommendation, the court agrees with the Magistrate Judge's recommendation and incorporates the Report herein by reference.

Accordingly, defendants' motion for summary judgment is granted and the plaintiff's motion for summary judgment is denied.

IT IS SO ORDERED.

August 26, 2009
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge