

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

Marie Assa’ad-Faltas, M.D., M.P.H.,)	C.A. No. 3:10-cv-3014-TLW-JRM
for herself and for all similarly-situated persons,)	
)	
Plaintiff,)	
vs.)	
)	
The City of Columbia,)	
)	
Defendant.)	
_____)	

This matter is now before the undersigned for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Joseph R. McCrorey, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In his Report, Magistrate Judge McCrorey recommends that Defendant’s motion to dismiss (Doc. # 46) be granted. It is further recommended that Plaintiff’s motions for a TRO (Doc. # 45); for judgment on the pleadings and/or summary judgment (Doc. # 51); for preliminary injunctions (Docs. #56 and #57); for subpoena (Doc. #58); and for habeas relief (Doc. #59) be denied. Plaintiff filed initial objections to the Report on March 16, 2012. (Doc. # 64). After being granted an extension of time, Plaintiff filed a supplement to her objections on March 26, 2012,¹ with an additional attachment on March 27, 2012 (Docs. # 68 & # 70).

¹As part of her supplemental objections, plaintiff has also filed a “Motion for Sanctions on: Attorneys Robert G. Cooper and Holly P. Beeson and if, and to the extent they are, admitted to practice before This Court, Attorneys David Fernandez, Constance Holloway, and Dana Turner, for Actively Impeding Access to Necessary and Relevant Information to This Court in This Case.” After careful review and consideration, this motion is **DENIED**. (Doc. # 69).

In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections. . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a de novo determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F.Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of this standard, the Court has reviewed, de novo, the Report and the objections thereto. The Court accepts the Report.

THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 62); plaintiff's objections are **OVERRULED** (Docs. # 64, # 68, & # 70); Defendant's motion to dismiss (Doc. # 46) is **GRANTED**; and Plaintiff's motions for a TRO (Doc. # 45); for judgment on the pleadings and/or summary judgment (Doc. # 51); for preliminary injunctions (Docs. #56 and #57); for subpoena (Doc. #58); and for habeas relief (Doc. #59) are **DENIED**.

IT IS SO ORDERED.

s/ Terry L. Wooten

TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

March 29, 2012
Florence, South Carolina