

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

Timothy Charley,)	C/A No. 3:11-2584-JFA-KFM
)	
Plaintiff,)	
)	
v.)	ORDER
)	
U.S. Circuit Judge Niemeyer; U.S. Circuit)	
Judge King; U.S. Circuit Judge Agee; and)	
U.S. District Judge Cameron McGowan Currie,)	
)	
Defendants.)	
_____)	

The *pro se* plaintiff, Timothy Charley, brings this action pursuant to 42 U.S.C. § 1983 wherein he attacks the defendants’ actions in his prior law suit that was dismissed, claiming that the judicial officer defendants erred in their adjudication of the matter.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation wherein he suggests that this court should summarily dismiss this action with prejudice. Specifically, the Magistrate Judge opines that absolute immunity bars this action against the defendants, who are all federal judges. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation and without a hearing.

The plaintiff was advised of his right to file objections to the Report and

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 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. 28 U.S.C. § 636(b)(1).


Recommendation, but has failed to do so. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After a careful review of the record, the applicable law, and the Report and Recommendation, the court finds the Magistrate Judge's recommendation to be proper and incorporates the Report herein by reference. Accordingly, this action is dismissed with prejudice and without issuance and service of process.

In addition, this action, which the court finds frivolous and wholly without merit, shall be deemed a "strike" pursuant to 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

November 16, 2011
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge