

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

Cynthia Bruce,

Plaintiff,

vs.

Ladies Choice Fitness Center Columbia, Inc.;  
Ladies Choice Fitness Center Landmark, Inc.;  
and Ladies Choice Fitness Center MI, Inc.

Defendants.

C/A No. 3:12-cv-02678-JFA-SVH

**ORDER**

This matter comes before the court on (1) the plaintiff's failure to file either a motion for default judgment or a motion for voluntary dismissal as to Ladies Choice Fitness Center Columbia Inc. ("LCFCC"); and (2) the plaintiff's failure to effect service and to prosecute as to Ladies Choice Fitness Center MI, Inc. ("LCFC MI").<sup>1</sup>

The Magistrate Judge assigned to this action prepared a thorough Report and Recommendation ("Report")<sup>2</sup> and opines that this action be dismissed with prejudice as to both LCFCC and LCFC MI. ECF No. 76. The Report sets forth in detail the relevant facts and standards of law, and this court incorporates those facts and standards without a recitation.

The parties were advised of their right to object to the Report, which was entered on the docket on February 5, 2014. However, they did not file objections. In the absence of specific

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<sup>1</sup> The plaintiff dismissed her complaint against Ladies Choice Fitness Center Landmark, Inc., on December 20, 2013. ECF No. 72.

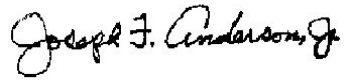
<sup>2</sup> The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(g) (D.S.C.). The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination 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).

objections to the Report of the Magistrate Judge, this court is not required to give an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, as well as the Report, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, the court adopts the Report and dismisses the action with prejudice.

IT IS SO ORDERED.

February 26, 2014  
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.  
United States District Judge