

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

Leo McClam, ) C/A No.: 3:13-cv-01006-TLW  
)  
Plaintiff, )  
)  
vs. )  
)  
Ms. Dieisha NLN, Dr. McDonald, *N.F.N.*, )  
State of South Carolina. )  
)  
Defendants. )  
\_\_\_\_\_ )

**ORDER**

On April 30, 2013, Leo McClam (“Plaintiff”) filed two documents which the Clerk docketed as a civil action pursuant to 28 U.S.C. § 1983. (Doc. #1). The pleadings state that the Plaintiff has been in the custody of the South Carolina Department of Mental Health since January 4, 2012, that he seeks release, and that he has notified the Court of his need for “help” to “save [his] life.” (*Id.*). The pleadings list as defendants “Ms. Dieisha NLN,” “Dr. McDonald N.F.N.,” and the State of South Carolina. (*Id.*).

The matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by Magistrate Judge Joseph R. McCrorey, (Doc. #12) to whom this case had previously been assigned. In the Report, the Magistrate Judge recommends *sua sponte* that Plaintiff’s Complaint be summarily dismissed, without prejudice and without issuance and service of process. (*Id.*). Objections were due by June 28, 2013. Plaintiff filed no objections to the Report; however, Plaintiff filed a document captioned as a “motion to extend time” for “the next presentation.” He seeks appointment of an attorney and discovery. (Doc. #14). In light of

this order accepting the Report and dismissing the case without prejudice, that motion (Doc. #14) is deemed moot.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

This Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation (Doc. #10) is **ACCEPTED** and Plaintiff's Complaint (Doc. #1) is **DISMISSED** without prejudice and without issuance and service of process. Plaintiff's document docketed as a motion for extension and seeking appointment of an attorney and discovery (Doc. #14) is **DENIED** as moot in light of this order.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
Chief United States District Judge

July 29, 2013  
Columbia, South Carolina