

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

Carole Holloman,

Plaintiff,

v.

South Carolina Department of Mental Health

Defendant.

C/A No. 3:14-cv-1136-JFA

**ORDER**

Carole Holloman (“Plaintiff”) filed a lawsuit in the Court of Common Pleas in Kershaw County asserting claims for breach of contract against her former employer, the South Carolina Department of Mental Health (“Department”). The Department removed the case to federal district court pursuant to 28 U.S.C. §§ 1441(a) and 1146(b)(3), asserting jurisdiction based on federal question jurisdiction under 28 U.S.C. §§ 1331 and 1343. Plaintiff moved to remand this case back to state court. (ECF No. 6).

The Magistrate Judge assigned to this action<sup>1</sup> prepared a thorough Report and Recommendation (“Report”) and opines that this court should deny the motion to remand filed by Plaintiff. (ECF No. 17). The Report sets forth in detail the relevant facts and standards of law on this matter, and this court incorporates those facts and standards without a recitation.

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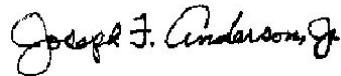
<sup>1</sup> The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(g) (D.S.C.). The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination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

Plaintiff was advised of her right to object to the Report, which was entered on the docket on September 11, 2014. However, Plaintiff did not file objections. In the absence of specific 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 denies Plaintiff's motion to remand.

IT IS SO ORDERED.

October 7, 2014  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge