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

OneWest Bank FSB, successor in interest to IndyMac Federal Bank FSB (IndyMac) 2013, Plaintiff, v. James B. Bailey, also known as James Bradley Bailey, Defendant.	C/A No. 3:14-cv-2010-JFA **ORDER**

Defendant James Bradley Bailey purports to remove a state foreclosure action (Civil Action No. 09-CP-32-723) associated with property located at 108 Westpointe Court, Lexington, South Carolina based on federal question jurisdiction. (ECF No. 1). The Magistrate Judge assigned to this action[1] *sua sponte* prepared a thorough Report and Recommendation ("Report") recommending that this action be remanded to state court for lack of subject matter jurisdiction. 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.

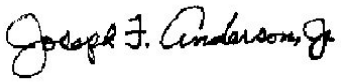
The parties were advised of their right to object to the Report, which was entered on the docket on August 7, 2014. (ECF No. 17). However, no objections were filed. In the absence of specific objections to the Report of the Magistrate Judge, this Court is not required to give an

[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(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).

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 remands this case back to state court.

IT IS SO ORDERED.



September 30, 2014
Columbia, South Carolina

Joseph F. Anderson, Jr.
United States District Judge