

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

Isaac Murray,)
)
Plaintiff,)
)
v.)
)
Lawyer Milton Kligman; President Barack Obama)
and all president worldwide and living; Vice)
President Biden and all living one; Senator Lindsey)
Graham and all worldwide; Senator Tim Scott and)
all Senator worldwide; Congressman Jim Clyburn;)
Congressman Joe Wilson and all US)
Representative and worldwide; Nikki Haley and)
All Governors Living and Governor 1865;)
SC Senator Darryl Jackson and all like them,)
)
Defendants.)
_____)

C/A NO. 3:14-2581-CMC-PJG

OPINION and ORDER

This matter is before the court on Plaintiff’s *pro se* complaint, filed in this court pursuant to 42 U.S.C. § 1983.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(e), DSC, this matter was referred to United States Magistrate Judge Paige J. Gossett for pre-trial proceedings and a Report and Recommendation (“Report”). On July 22, 2014, the Magistrate Judge issued a Report recommending that Plaintiff’s motion to proceed *in forma pauperis (ifp)* be denied and the complaint be dismissed without prejudice and without issuance and service of process. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. On July 29, 2014, Plaintiff filed a letter with the court. ECF No. 12.

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. *See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The court reviews the Report only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”) (citation omitted).

After reviewing Plaintiff’s letter, and considering the record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court agrees with the conclusions of the Magistrate Judge. Accordingly, the court adopts and incorporates the Report and Recommendation by reference in this Order.

The Report recommends that Plaintiff’s motion to proceed *ifp* should be denied. The Report recommends providing fourteen (14) days in which Plaintiff should be required to pay the filing fee or face dismissal of his case. Additionally, even absent failure to pay the filing fee, the Report recommends summary dismissal of this case.

Plaintiff has not objected to these recommendations. Much like the complaint in this matter, Plaintiff’s letter is a rambling, incoherent stream of consciousness. Therefore, as there is no clear error in the Magistrate Judge’s recommendation, the court adopts the Report.

Plaintiff's motion to proceed *ifp* is **denied**. Plaintiff shall have until **Friday, August 29, 2014**, to pay the filing fee in this matter. Further action by the court will be taken once this deadline expires.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
August 11, 2014