

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

Latorey J. Greene, #292916,)	
)	
Plaintiff,)	C.A. No. 3:15-2967-HMH-SVH
)	
vs.)	OPINION & ORDER
)	
Charles Brooks, P.C.R. Attorney;)	
Wanda H. Carter, Deputy Chief Attorney;)	
Patrick Wright, Attorney; Harry O’Conner,)	
C. Kelly Jackson, and Suzanne Mayes,)	
Previous Solicitors of Sumter County;)	
Howard P. King, Judge Paula H. Thomas,)	
and Judge Thomas W. Cooper,)	
3rd Circuit Judges; Judge Mary R. Herbert,)	
Magastrict; and Kenneth Young, Jr.,)	
Alien P. Clare, and Robert M. Dudek,)	
Attorneys,)	
)	
Defendants.)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Shiva V. Hodges, made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 of the District of South Carolina.¹ Latorey J. Greene (“Greene”), a state prisoner, proceeding pro se, alleges a violation of 42 U.S.C. § 1983 and seeks monetary and injunctive relief. Further, Greene filed his complaint pursuant to 28 U.S.C. § 1915, which permits indigent litigants to proceed in federal court without the prepayment of costs and further allows the court to dismiss a case that fails to state a claim or is frivolous or malicious. 28

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (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. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

U.S.C. § 1915(e)(2)(B)(i) - (ii). In her Report and Recommendation, Magistrate Judge Hodges recommends dismissing this case without prejudice and without issuance and service of process because Greene's complaint fails to state a cognizable claim for relief. (Report & Recommendation at 6, ECF No. 13.)

Greene filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the magistrate judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Greene's objections are non-specific, unrelated to the dispositive portions of the magistrate judge's Report and Recommendation, or merely restate his claims. Accordingly, after review, the court finds that Greene's objections are without merit. Therefore, after a thorough review of the magistrate judge's Report and the record in this case, the court adopts Magistrate Judge Hodges' Report and Recommendation and incorporates it herein by reference.

It is therefore

ORDERED that the case is dismissed without prejudice and without issuance and service of process. It is further

ORDERED that Greene's remaining pending motions, docket numbers 4, 5, 7, 8, 17, 18, and 19, are dismissed as moot.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
September 1, 2015

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.