

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

John S. Stritzinger,

PLAINTIFF

v.

Brian Moynihan, *Bank of America*; Kathryn  
Ruemeller, *Whitehouse*; Lowell McAdam,  
*Verizon*; Katherine Wright; United States  
Attorney - SC; US Supreme Court Clerk;  
Supply Chain Partners,

DEFENDANTS

Case No. 3:15-cv-4447-TLW

**ORDER**

Plaintiff John S. Stritzinger, proceeding *pro se*, filed this action alleging a contract dispute. ECF Nos. 1 & 14. The matter now comes before the Court for review of the Report and Recommendation (R&R) filed on April 5, 2016, by Magistrate Judge Gossett, to whom this case was assigned. ECF No. 40. In the R&R, the magistrate judge recommends that Plaintiff's Amended Complaint should be summarily dismissed without prejudice and without issuance of service of process, and she recommends terminating as moot several other motions filed, ECF Nos. 24, 30, 33, 36, and 39. Plaintiff filed objections to the R&R on April 12, 2016, and supplemental objections on April 15, 2016. ECF Nos. 43 & 45. This matter is now ripe for decision.

In reviewing the R&R, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections . . . . The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case the Court

is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

*Wallace v. Hous. Auth. of City of Columbia*, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in *Wallace*, the Court has reviewed, *de novo*, the R&R and Plaintiff's objections. After an appropriate review, the R&R is **ACCEPTED** and Plaintiff's objections are **OVERRULED**. Plaintiff's Amended Complaint is hereby **DISMISSED** without prejudice and without issuance of service of process, and ECF Nos. 24, 30, 33, 36, and 39 are **TERMINATED** for the reasons stated by the magistrate judge.

Additionally, the Court has appropriately considered Plaintiff's Motion for a Permanent Injunction, ECF No. 44, which was filed after the R&R was issued. The Court finds the motion to be without sufficient legal merit and, accordingly, the Motion for a Permanent Injunction is **DENIED**. See *United States v. Patel*, 879 F.2d 292, 295 (7th Cir. 1989) ("When issues patently lack merit, the reviewing court is not obliged to devote scarce judicial resources to a written discussion of them.").

**IT IS SO ORDERED.**

*s/ Terry L. Wooten*  
Chief United States District Judge

May 27, 2016  
Columbia, South Carolina