

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

Tech Blast, Inc., *a California corporation*; )  
 Visa Tech, Inc., *a California corporation*, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 Lewis Clark, Jr., *an individual*; Aaron Troy )  
 Addison, *an individual*; Does 1 through 20, )  
*inclusive*; Fanatik Productions, LLC, *a South )  
 Carolina limited liability company*; Thaddeus )  
 W. Jones, Jr., *an individual*; Darren Smith, *an )  
 individual, doing business as D Smith )  
 Consulting,* )  
 )  
 Defendants. )  
 \_\_\_\_\_)

Civil Action No. 3:16-cv-02480-JMC

**AMENDED ORDER**

Plaintiffs Tech Blast, Inc. and Visa Tech, Inc. (“Plaintiffs”) filed this action for a final judgment as to Defendants Fanatik Productions, LLC and Thaddeus W. Jones, Jr. (collectively, “Defendants”) pursuant to Federal Rule of Civil Procedure 54(b). (ECF No. 72.) Plaintiffs seek the remainder of damages, \$53,555.00 plus prejudgment interest from April 4, 2016 to May 16, 2017 in the amount of \$5,225.28, stemming from two unauthorized wire transfers from Plaintiffs’ business bank accounts. (*Id.*) The Magistrate Judge’s Report and Recommendation recommends that Plaintiffs’ Motion for Final Judgment (ECF No. 67) be granted. The Report and Recommendation, filed on November 13, 2017, sets forth the relevant facts, which this court incorporates herein without a recitation. (ECF No. 72.)

The Magistrate Judge’s Report and Recommendation is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight.

The responsibility to make a final determination remains with this 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, and the court may accept, reject, or modify, in whole or in part, the Magistrate Judge's recommendation or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The parties were advised of their right to file objections to the Report and Recommendation. (ECF No. 72 at 6.) However, neither party filed an objection to the Report and Recommendation within the prescribed time limits.

In the absence of objections to the Magistrate Judge's Report and Recommendation, this court is not required to provide an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "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.'" *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note). Furthermore, failure to file specific written objections to the Report and Recommendation results in a party's waiver of the right to appeal from the judgment of the District Court based upon such recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).

After a thorough review of the Report and Recommendation and the record in this case, the court adopts the Magistrate Judge's Report and Recommendation (ECF No. 72) and incorporates it herein. Therefore, Plaintiffs' Motion for Final Judgment (ECF No. 67) is **GRANTED**.

**IT IS SO ORDERED.**

*J. Michelle Childs*

United States District Judge

November 27, 2017  
Columbia, South Carolina