

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

Clarence B. Jenkins, Jr., )  
)  
Plaintiff, )  
)  
v. )  
)  
United States, )  
)  
Defendant. )  
\_\_\_\_\_)

C/A No. 3:17-cv-1775-TLW-PJG

**ORDER**

Plaintiff Clarence B. Jenkins, Jr., proceeding *pro se*, filed this action pursuant to the Federal Tort Claims Act, 28 U.S.C. §§ 2671-2680, 1346(b), alleging that Defendant negligently place a suggestion box over sitting chairs. ECF No. 1. On November 20, 2017, Defendant United States filed a Motion to Dismiss Plaintiff’s claims pursuant to Federal Rule of Civil Procedure 12(b)(6). ECF No. 25. Plaintiff filed a response opposing the motion. ECF Nos. 30, 31.

This matter now comes before the Court for review of the Report and Recommendation (the Report) filed on March 12, 2018, by United States Magistrate Judge Paige J. Gossett, to whom this case was previously assigned pursuant to 28 U.S.C. § 636(b) and Local Civ. Rule 73.02(B)(2), (D.S.C.). In the Report, the Magistrate Judge recommends denying Defendant’s Motion to Dismiss. ECF No. 34. Objections to the Report were due on March 26, 2018. However, Defendant did not file objections to the Report. This matter is now ripe for disposition.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C.

§ 636. In the absence of objections to the Report, 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).

The Court has carefully reviewed the Report and relevant filings, and notes that Defendant did not file objections to the Report. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation, ECF No. 34, is **ACCEPTED**, and Defendant's Motion to Dismiss, ECF No. 25, is **DENIED**.

**IT IS SO ORDERED.**

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

April 9, 2018  
Columbia, South Carolina