

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Robert J. Abrams,

Plaintiff,

v.

State of Washington, D.C.; V.A.; and
Tammy Vazqis, Walmart Worker,

Defendants.

C/A No. 3:18-95-JFA-SVH

ORDER

Robert J. Abrams (Plaintiff), proceeding pro se and *in forma pauperis*, brings this action alleging a violation of his civil rights. (ECF No. 1). The Magistrate Judge assigned to this action¹ prepared a thorough Report and Recommendation (Report) and opines that this Court should dismiss the Complaint without prejudice and without issuance and service of process. (ECF No. 17). The Report sets forth in detail the relevant facts and standards of law on this matter, and the Court incorporates such without a recitation.

The Magistrate found that Plaintiff failed to prosecute his case pursuant to Fed. R. Civ. P. 41, and therefore, Plaintiff's case should be dismissed. The Plaintiff was advised of his right to file objections to the Report, which was entered on the docket on March 9,

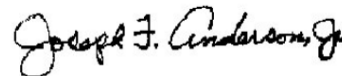
¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of those portions of the Report to which specific objection is made and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

2018. However, Plaintiff did not file objections and the time to do so has now expired.² In the absence of specific objections to the Report of the Magistrate Judge, this Court is not required to give any explanation for adopting the Magistrate's recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). The Magistrate Judge has allowed the Plaintiff ample time to respond to the Court's orders and the Plaintiff has failed to do so.

After carefully reviewing the applicable laws, the record in this case, as well as the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, the Court adopts the Report and Recommendation. Plaintiff's Complaint is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

April 11, 2018
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge

² The Court takes notice that Plaintiff has not given an accurate address to this Court, and therefore, has not received the documents from this Court. On March 9, 2018, the clerk's office attempted to mail the Report to Plaintiff's listed address. However, the mail was returned as undeliverable. After an error was discovered in the mailing address, the Report was re-mailed to what was believed to be the correct address on March 28, 2018. On April 3, 2018, the mail was returned as insufficient address and unable to forward. The clerk's office then attempted to call Plaintiff by phone on April 4, 2018. However, the phone number was disconnected. The clerk's office then located another potential variation of the Plaintiff's address in Plaintiff's answers to interrogatories. The Report was again mailed in attempt to reach Plaintiff on April 4, 2018. On April 9, 2018, it was returned as undeliverable. The Court finds that Plaintiff has failed to update his contact information with the Court.