

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Kathy Reaves, *a/k/a* Kathy Juanita
Reaves

PLAINTIFF

v.

South Carolina Department of Public
Safety, South Carolina Division of
Motor Vehicles, and South Carolina
Highway Patrol

DEFENDANTS

Case No. 3:22-cv-1323-TLW

Order

Plaintiff Kathy Reaves, proceeding *pro se* and *in forma pauperis*, filed this civil action against the following South Carolina agencies: the South Carolina Department of Public Safety, the South Carolina Division of Motor Vehicles, and the South Carolina Highway Patrol. ECF No. 1. Plaintiff brings her suit pursuant to the Fourth and Fourteenth Amendments and under 28 U.S.C. § 4101 and the Privacy Act. *Id* at 1. The Court is familiar with the factual allegations contained in Plaintiff's complaint as Plaintiff has a number of pending actions and recently dismissed actions before this Court. *See* 4:22-cv-00318-TLW; 4:22-cv-00639-TLW; 4:22-cv-00856-TLW; 3:22-cv-01399-TLW; 4:22-cv-01806-TLW, *etc.*

Plaintiff's complaint was referred to the Honorable Thomas E. Rogers, III, United States Magistrate Judge, for review pursuant to 28 U.S.C. § 36(b)(1)(B). The magistrate judge issued a proper form order directing Plaintiff to bring her complaint

into proper form by filing an amended complaint and providing the appropriate documents necessary for service. ECF. Additionally, the magistrate judge directed Plaintiff to answer a set of special interrogatories. ECF No. 5–1. Plaintiff has not filed an amended complaint.

The matter now comes before the Court for review of the Report and Recommendation (“Report”) filed by the magistrate judge. ECF No. 15. In the Report, the magistrate judge recommends that Plaintiff’s complaint be summarily dismissed pursuant to 28 U.S.C. § 1915 because the allegations in the complaint are duplicative of her allegations in Case No. 4:22-cv-00318-TLW. *See id.* at 3. Further, the magistrate judge noted that “[i]t is a waste of judicial resources to request Plaintiff [to] name actual persons as defendants instead of an agency as the court already did this in No. 4:22-cv-318 and Plaintiff is pursuing some individual defendants, regarding this same incident in that court action.” *Id.* at 4. The Report concludes that “Plaintiff has failed to state a claim upon which relief can be granted and this action is subject to summary dismissal[.]” *Id.* at 5. Plaintiff did not file objections to the Report. This matter is now ripe for decision.

The Court is charged with conducting a *de novo* review of any portion of the Report 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, the Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, “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 & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

The Court has carefully reviewed the Report. For the reasons stated by the magistrate judge, the Report, ECF No. 15, is **ACCEPTED**. This matter is **DISMISSED WITH PREJUDICE AND WITHOUT ISSUANCE AND SERVICE OF PROCESS.**

IT IS SO ORDERED.

s/ Terry L. Wooten

Terry L. Wooten
Senior United States District Judge

November 17, 2022
Columbia, South Carolina