

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

The Guardian Life Insurance )  
 Company of America, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Sherry G. Engel; Robertus Leonardus )  
 Cornelius Engel, Individually and as )  
 Special Administrator of the Estate of )  
 Frederik Nicholaas Eduard Antonius )  
 Engel; Peter Ruben Engel; and Rick )  
 Jonathan Engel, )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

Civil Action No.: 4:09-cv-682-TLW-TER

**ORDER**

On March 17, 2009, the plaintiff, Guardian Life Insurance Company of America (“plaintiff”), filed this interpleader action. (Doc. #1). The case was referred to United States Magistrate Judge Thomas E. Rogers, III pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2), DSC.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by the Magistrate Judge to whom this case had previously been assigned. (Doc. # 87). On July 18, 2011, the Magistrate Judge issued the Report. In the Report, the Magistrate Judge recommends that the cross-claimants’ motion for summary judgment (Doc. # 66) be granted, that the proceeds from the policy at issue plus the accrued interest as paid into this Court’s registry be paid to the Estate of Frederik Nicolaas Eduard Antonius Engel, and that this action be dismissed in

its entirety. (Doc. # 87). The parties filed no objections to the Report. Objections were due on August 4, 2011.

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 and Recommendation of the Magistrate Judge, 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 Magistrate Judge's Report and Recommendation. It is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED**. (Doc. # 87). For the reasons articulated by the Magistrate Judge, the cross-claimants' motion for summary judgment (Doc. # 66) is **GRANTED**. It is hereby **ORDERED** that the proceeds from the insurance policy at issue, policy number G-310685 issued by the plaintiff, plus the accrued interest as paid into this Court's registry be paid to the Estate of Frederik Nicolaas Eduard Antonius Engel and that this action be **DISMISSED** in its entirety.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
United States District Judge

September 2, 2011  
Florence, South Carolina