

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

Joseph Lee McFadden,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 4:11-2317-TLW-SVH
	)	
State of South Carolina; County of Florence; and	)	
The State,	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

On August 29, 2011, the Plaintiff, Joseph Lee McFadden (“Plaintiff”), proceeding *pro se*, filed this civil action construed as an action under 42 U.S.C. § 1983. (Doc. # 1).

The matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by Magistrate Judge Shiva V. Hodges to whom this case had previously been assigned. In the Report, the Magistrate Judge recommends that Plaintiff’s Complaint be dismissed without prejudice and without issuance and service of process pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) and (ii). (Doc. # 19). Objections were due on December 8, 2011. Plaintiff has filed no objections to the Report.

The 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, the 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. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. # 19). The Complaint is therefore **DISMISSED** without prejudice and without issuance and service of process.

**IT IS SO ORDERED.**

December 15, 2011  
Florence, South Carolina

s/Terry L. Wooten  
United States District Judge