

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Richard E. Trice Bey, #83710-020,	)	C/A No. 4:12-1063-JFA-TER
	)	
Petitioner,	)	
v.	)	ORDER
	)	
Ms. D. Drew, Warden, FCI Bennettsville, SC,	)	
	)	
Respondent.	)	
_____	)	

The *pro se* petitioner, Richard E. Trice Bey, is an inmate at the Federal Correctional Institution in Bennettsville, South Carolina. He brought this action under 28 U.S.C. § 2241 and now moves to transfer the case to the sentencing court (the United States District Court for the Middle District of Georgia).

The Magistrate Judge assigned to this action<sup>1</sup> has prepared a Report and Recommendation and opines that, in accordance with petitioner’s request, this matter should be transferred to the United States District Court for the Middle District of Georgia, to determine whether petitioner’s claims are cognizable under § 2241 or § 2255. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

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<sup>1</sup> 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 and Recommendation 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. *See* 28 U.S.C. § 636(b)(1).

Neither party has objected to the Report and Recommendation. 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 recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law and it is incorporated herein by reference.

Accordingly, the Clerk is authorized to transfer this action to the United States District Court for the Middle District of Georgia.

IT IS SO ORDERED.

May 29, 2012  
Columbia, South Carolina



Joseph F. Anderson, Jr.  
United States District Judge