

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

Yvonne Denise Nelson,	)	Civil Action No.: 4:12-cv-02070-RBH
	)	
Appellant,	)	
	)	
v.	)	<b>ORDER</b>
	)	
Kevin Campbell,	)	
	)	
Trustee.	)	
	)	
	)	

Appellant Yvonne Denise Nelson, proceeding pro se, filed this appeal of an order of the United States Bankruptcy Court. After being notified of a requirement to pay a filing fee and failing to do so, the Court ordered Appellant to cure her deficiency. Responding to the order, Appellant explained her failure was due to health-related reasons. Again, the Court ordered Appellant to cure her deficiency, but she did not respond to the second order. The matter is before the Court for review of the Report and Recommendation of United States Magistrate Judge Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina. The Magistrate Judge recommends that the Court dismiss Appellant's appeal, concluding her failure to respond to the second order was due to her negligence.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (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 with instructions. See 28 U.S.C. § 636(b)(1).

Neither party has filed objections to the Report and Recommendation. 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 reviews only for clear error in the absence of an objection. See Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct 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’ ”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the record in this case, the Court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference. Therefore, it is

**ORDERED** that Appellant’s appeal from the Bankruptcy Court is **DISMISSED**.

**IT IS SO ORDERED.**

s/ R. Bryan Harwell  
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R. Bryan Harwell  
United States District Judge

December 13, 2012  
Florence, South Carolina