

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Bobby Eugene Miller,) C/A No. 4:14-1068-JFA-TER
vs.)
Plaintiff,)
)
)
vs.) ORDER
)
Georgetown County Detention enter; and)
Chief Michael Schwartz,)
)
Defendants.)
)
)

The *pro se* plaintiff, Bobby Eugene Miller, brings this action pursuant to 42 U.S.C. § 1983¹ raising claims regarding his conditions of confinement at the Georgetown County Detention Center.

The Magistrate Judge assigned to this action² has prepared a Report and Recommendation and opines that defendant Georgetown County Detention Center should be summarily dismissed from this action. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

¹ The plaintiff has filed this action *in forma pauperis* under 28 U.S.C. § 1915.

² 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).

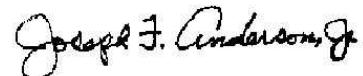
The plaintiff was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on June 27, 2014. The plaintiff has not filed objections and the time within which to do so has now expired. In the absence of specific objections to the Report of the Magistrate 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).

As the Magistrate Judge properly suggests, and this court agrees, defendant Georgetown County Detention Center is not a proper “person” under 42 U.S.C. § 1983 and it should be dismissed.

After a careful review of the record, the applicable law, the Report and Recommendation, the court finds the Magistrate Judge’s recommendation proper and incorporates it herein by reference. Accordingly, defendant Georgetown County Detention Center is summarily dismissed from this action.

As the Magistrate Judge has authorized service of the complaint on the remaining defendant, this matter shall be returned to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.



Joseph F. Anderson, Jr.
United States District Judge

July 23, 2014
Columbia, South Carolina