

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Get Joe's LLC, Christopher Rice, and Richard Ridgeway,)	Civil Action No.: 4:14-2626-BHH
)	
)	
Plaintiff,)	
vs.)	<u>OPINION AND ORDER</u>
)	
Hangover Joe's Holding Corporation, Hangover Joe's Inc., Hangover Joe's Products, LLC, Michael Alan Jaynes, Brian Daniels, and Shawn Adamson,)	
)	
Defendants.)	
_____)	

This matter is before the Court on the Report and Recommendation ("Report") (ECF No. 37) of United States Magistrate Judge Thomas E. Rogers, III, recommending that the plaintiff's motion to remand (ECF No. 7) be denied, the defendant's motion to compel arbitration and dismiss (ECF No. 4) be granted, and this case be dismissed.

Because the plaintiffs are *pro se*, this case was automatically referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A) and Local Civil Rule 73.02(B)(2)(e). Objections to the Report were due by January 30, 2015, and no objections have been filed by any party.

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. See *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is

made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). In the absence of a timely filed Objection, a district court need not conduct a 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.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

After a careful review of the record, the applicable law, and the Report of the Magistrate Judge, the Court finds no clear error. Accordingly, the Court **ACCEPTS** and incorporates the Report, (ECF No. 37), by reference into this Order. It is therefore **ORDERED** that the plaintiff’s motion to remand (ECF No. 7) is DENIED, the defendant’s motion to compel arbitration and dismiss (ECF No. 4) is GRANTED, and this case is dismissed. All other pending motions are denied as moot.

IT IS SO ORDERED.

/s/Bruce Howe Hendricks
United States District Judge

February 4, 2015
Greenville, South Carolina