

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Skip Aubrey Logan,)	C/A No. 4:14-2940-JFA-TER
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Life Recovery Solutions; F. Gareth Beshears;)	
Nick Robinette; J. Ruben Long Detention)	
Center,)	
)	
Defendants.)	
_____)	

The *pro se* plaintiff, Skip Aubrey Logan, is an inmate at the South Carolina Department of Corrections (SCDC). He brings this action pursuant to 42 U.S.C. § 1983 contending that the defendants violated his constitutional rights.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation and opines that defendant J. Ruben Long 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.

The plaintiff was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on October 7, 2014. The plaintiff filed

¹ 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).

an objection to the Report. The court has reviewed the objection and finds it to be without merit.

As the Magistrate Judge properly suggests, and this court agrees, defendant J. Ruben Long Detention Center is not a proper “person” under 42 U.S.C. § 1983 and it should be dismissed without prejudice and without issuance of service of process.

After a careful review of the record, the applicable law, and the Report and Recommendation, the court finds the Magistrate Judge’s recommendation proper and incorporates it herein by reference. Accordingly, defendant J. Ruben Long Detention Center is summarily dismissed from this action without prejudice and without issuance and service of process.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." in a cursive style.

Joseph F. Anderson, Jr.
United States District Judge

November 10, 2014
Columbia, South Carolina