

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

James F. Meade,)	Civil Action No.: 4:14-cv-02947-RBH
)	
Plaintiff,)	
)	
v.)	ORDER
)	
A.B. Property Services, Inc.,)	
d/b/a Happy Floors,)	
)	
Defendant.)	
_____)	

Plaintiff filed this lawsuit in the Court of Common Pleas for Horry County, South Carolina, alleging Defendant terminated his employment in violation of the Americans with Disabilities Act, 42 U.S.C. § 12101, *et seq.* See ECF No. 1-1. Defendant removed the case to this Court and filed a motion for summary judgment. See ECF Nos. 1 & 33. The matter is before the Court for review of the Report and Recommendation (R & R) 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(B)(2)(g) for the District of South Carolina.¹ See R & R, ECF No. 48. The Magistrate Judge recommends the Court deny Defendant’s motion for summary judgment. *Id.* at 21.

The Magistrate Judge makes only a recommendation to the 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, 270-71 (1976). The Court must conduct a *de novo* review of those portions of the R & R to which specific objections are made, and it may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

¹ The R & R sets forth in detail the relevant facts and legal standards for this case.

Neither party has filed objections to the R & R. In the absence of objections to the R & R, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendations. *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 & Acc. Ins. Co.*, 416 F.3d 310, 315 (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 Court adopts and incorporates by reference the R & R [ECF No. 48] of the Magistrate Judge. It is therefore **ORDERED** that Defendant's motion for summary judgment [ECF No. 33] is **DENIED**.

IT IS SO ORDERED.

Florence, South Carolina
February 2, 2016

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