

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

WILKIN O’NEAL PETTIS,)
)
Plaintiff,)
)
vs.)
)
DIRECTOR MYERS, AFGDC; OFFICER)
WALKER, AFGDC; SARGEANT)
MONROE, AFGDC; CAPTAIN BUFFER,)
AFGDC; AND 2 UNKNOWN, NAMED)
OFFICERS, AFGDC,)
)
Defendants.)
_____)

Case No. 4:14-cv-03070-TLW

ORDER

Plaintiff Wilkin O’Neal Pettis, proceeding pro se and in forma pauperis, brought this action against employees of the Alvin S. Glen Detention Center pursuant to 42 U.S.C. § 1983, alleging that Defendants violated his constitutional rights by using excessive force against him during an incident on April 14, 2014. (Doc. #1). This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Thomas E. Rogers, III, to whom this case was assigned pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(d), (D.S.C.). In the Report, the Magistrate Judge recommends that this Court dismiss the case without prejudice and without issuance and service of process as to Defendant Myers and Defendant Buffer. (Doc. #8). Objections to the Report were due by October 24, 2014. Plaintiff failed to file objections.

The Court is charged with conducting a de novo review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections

to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendation. See Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, "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 & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

The Court has carefully reviewed the Report in accordance with this standard, and it concludes that the Magistrate Judge accurately summarizes the case and the applicable law. It is therefore **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. #8). For the reasons articulated by the Magistrate Judge, this case is **DISMISSED** without prejudice and without issuance and service of process as to Defendant Myers and Defendant Buffer.

IT IS SO ORDERED.

s/ Terry L. Wooten
Terry L. Wooten
Chief United States District Judge

November 10, 2014
Columbia, South Carolina