

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

Christopher Hickson,	)	C/A NO. 4:15-2433-CMC-TER
	)	
Plaintiff,	)	
	)	<b>OPINION and ORDER</b>
v.	)	
	)	
Officer John Stewart, Individually and in	)	
his official capacity as a Lake City Police	)	
Officer; Officer Sandy Thompson,	)	
Individually and in his official capacity as a	)	
Lake City Police Officer; Officer Kevin	)	
Cook, Individually and in his official	)	
capacity as a Lake City Police Officer;	)	
Chief of Police Billy Brown and/or Jody	)	
Cooper, Individually and in their official	)	
capacity as the Former and/or Present Chief	)	
of Police of the Lake City Police	)	
Department; The Lake City Police	)	
Department; The City of Lake City, and	)	
ABC Insurance Company,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the court on Plaintiff’s *pro se* complaint, filed in this court pursuant to 42 U.S.C. § 1983.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d), DSC, this matter was referred to United States Magistrate Judge Thomas E. Rogers, III, for pre-trial proceedings and a Report and Recommendation (“Report”). On September 16, 2015, the Magistrate Judge issued a Report recommending that Defendants Lake City Police Department and ABC Insurance Company be dismissed from this matter without prejudice and without issuance and service of process. The Magistrate Judge advised Plaintiff of the procedures and requirements for

filing objections to the Report and the serious consequences if he failed to do so. Plaintiff has filed no objections and the time for doing so has expired.

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).

After reviewing the record of this matter, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court agrees with the conclusions of the Magistrate Judge. Accordingly, the court adopts and incorporates the Report and Recommendation by reference in this Order.

This action is dismissed without prejudice and without issuance and service of process as to Defendants Lake City Police Department and ABC Insurance Company. This matter is returned to the Magistrate Judge for further pretrial proceedings.

**IT IS SO ORDERED.**

s/ Cameron McGowan Currie  
CAMERON MCGOWAN CURRIE  
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina  
October 13, 2015