

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

Kareem Gary,
Petitioner,

v.

Warden SPC Edgefield,
Respondent.

Case No. 4:16-cv-01201-TLW

Order

Petitioner Kareem Gary, proceeding pro se, filed this petition for habeas relief under 28 U.S.C. § 2241. ECF No. 1. The matter now comes before the Court for review of a Report and Recommendation (R&R) filed on March 1, 2017, by Magistrate Judge Rogers, to whom this case was assigned pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2), DSC. ECF No. 27. In the R&R, the Magistrate Judge recommends that Respondent's motion for summary judgment be granted. Id. Objections to the R&R were due March 15, 2017, and Petitioner has not filed objections. This matter is now ripe for decision.

In reviewing the R&R, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a de novo determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Hous. Auth. of City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted).

In light of the standard set forth in Wallace, the Court has carefully reviewed the R&R in this case. Noting that Petitioner filed no objections, the R&R, ECF No. 27, is hereby **ACCEPTED**. Therefore, for the reasons articulated by the Magistrate Judge, Respondent's motion for summary judgment is hereby **GRANTED**.

IT IS SO ORDERED.

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

August 2, 2017
Columbia, South Carolina