

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

Kimberly Skinner, Veronica Richardson, Andrea  
Morris-Lakes, Jessica Lloyd, Lachelle Murray,  
Brandi Wingfield, and Raelean Garcia,

Plaintiffs,

v.

Dezendra Patel a/k/a Devendra "Dev" Patel;  
Darshak "Danny" Brahmhatt; Atkinson 165, LLC  
d/b/a Raceway 957; Atkinson 164, LLC d/b/a  
Raceway 6954; and Racetrac Petroleum, Inc.,

Defendants.

Civil Action No.: 4:16-cv-01700-RBH

**ORDER**

Plaintiffs initiated this action by filing an initial, and later an amended, complaint in the Court of Common Pleas for Florence County, South Carolina. *See* ECF Nos. 1-1 & 1-2. Three of the five above-named Defendants removed the action to this Court with the consent of the other two Defendants, alleging jurisdiction pursuant to 28 U.S.C. § 1331. *See* ECF No. 1. Plaintiffs then filed a motion to remand. *See* ECF No. 9.

The case is now 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 for the District of South Carolina. *See* R & R, ECF No. 20. The Magistrate Judge recommends that the Court grant Plaintiffs' motion to remand. *Id.* at 5.

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 this Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a de novo determination of those portions of the R & R 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 with instructions. *See* 28 U.S.C. § 636(b)(1).

No parties have 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, 199-200 (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 and therefore adopts and incorporates by reference the R & R [ECF No. 20] of the Magistrate Judge. Accordingly, the Court **GRANTS** Plaintiffs' motion to remand [ECF No. 9] and **REMANDS** this action to the Court of Common Pleas for Florence County, South Carolina, for further proceedings. The Court **DIRECTS** the Clerk to mail a certified copy of this Order and the R & R to the clerk of the Florence County Court of Common Pleas.

**IT IS SO ORDERED.**

Florence, South Carolina  
August 17, 2016

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