

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

Nikolas Karahalios, ) Civil Action No.: 4:17-cv-00393-RBH-TER  
                          )  
Plaintiff, )  
                          )  
v.                    ) **ORDER**  
                          )  
Horry County Council, et al., )  
                          )  
Defendants. )  
                          )

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Plaintiff Nikolas Karahalios, proceeding pro se, commenced this action by filing a complaint and an application to proceed *in forma pauperis* (“IFP application”).<sup>1</sup> *See* ECF Nos. 1 & 3. The matter is currently before the Court for review of a Report and Recommendation (R & R) entered by United States Magistrate Judge Thomas E. Rogers, III and made in accordance with 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2)(e) for the District of South Carolina. *See* R & R, ECF No. 12. The Magistrate Judge recommends that the Court deny Plaintiff’s IFP application. *Id.* at 4.

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).

Plaintiff has not filed objections to the R & R, and the time for doing so has expired.<sup>2</sup> In the

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<sup>1</sup> More specifically, Plaintiff filed an AO 240, entitled “Application to Proceed in District Court Without Prepaying Fees or Costs.” *See* ECF No. 3.

<sup>2</sup> Objections were due by March 6, 2017. *See* ECF No. 12.

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. 12] of the Magistrate Judge. Accordingly, the Court **DENIES** Plaintiff's IFP application [ECF No. 3]. **Plaintiff must submit the required filing fee of \$350.00, plus the administrative fee of \$50.00, within fourteen days from the date of this Order (no later than March 21, 2017). If Plaintiff fails to pay the filing fee by March 21, 2017, this case will be subject to dismissal without prejudice.**

The Court recommits this case to the Magistrate Judge for further pretrial handling.

**IT IS SO ORDERED.**

Florence, South Carolina  
March 7, 2017

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