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

Nathanael L. Reynolds, Plaintiff, vs. Third Circuit Solicitors Office, Ernest A. Finney, III, Head Solicitor, and Assistant Solicitor Tyler B. Brown, Defendants.	)	C/A No.: 4:17-3467-BHH **ORDER AND OPINION**

This matter is before the Court for review of the Report and Recommendation of United States Magistrate Mary Gordon Baker made in accordance with 28 U.S.C. § 636(b) and Local Rule 73.02 for the District of South Carolina. On February 13, 2018, the Magistrate Judge issued a Report and Recommendation recommending that the complaint be **summarily dismissed with prejudice,** and without issuance and service of process; and that this dismissal should count as a "strike" for purposes of 28 U.S.C. § 1915(g). (ECF No. 12.)

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1). The Court may also receive further evidence or recommit the matter to the Magistrate Judge with instructions. *Id.* The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objections are made.

Plaintiff filed no objections and the time for doing so expired on March 2, 2018. In the absence of objections to the Magistrate Judge's Report and Recommendation, this Court is not required to provide an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, 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 & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 and advisory committee's note).

Here, because no objections have been filed, the Court has reviewed the Magistrate Judge's findings and recommendations for clear error. Finding none, the Court agrees with the Magistrate Judge that Plaintiff's claims against Defendants are subject to summary dismissal.

Accordingly, the Report and Recommendation is adopted and incorporated herein by reference, and this action is DISMISSED **with prejudice. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g).**

IT IS SO ORDERED.

/s/Bruce Howe Hendricks
United States District Judge

April 26, 2018
Greenville, South Carolina

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NOTICE OF RIGHT TO APPEAL

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.