

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

Veronica G. Davison,)
)
Plaintiff,)
)
vs.)
)
Harold P. Davison,)
)
Defendant.)
_____)

Case No.: 4:21-cv-01421-JD-KDW

OPINION & ORDER

This matter is before the Court with the Report and Recommendation of United States Magistrate Kaymani D. West (“Report and Recommendation”), made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2) of the District of South Carolina.¹ Plaintiff Veronica G. Davison (“Plaintiff”), proceeding *pro se*, seeks damages related to Defendant Harold P. Davison’s (“Defendant”) alleged discriminatory treatment of Plaintiff and harassment.

Plaintiff filed a Complaint against Defendant on May 12, 2021. (DE 1.) On May 18, 2021, the Court issued an Order notifying Plaintiff that her Complaint was subject to summary dismissal because she failed to allege sufficient facts to establish the Court’s jurisdiction over her claim. (DE 13.) The Order further advised Plaintiff she had until June 1, 2021 (plus three mailing days), to file an Amended Complaint or otherwise cure the identified deficiencies in her pleadings. Plaintiff filed an Amended Complaint on June 3, 2021 (DE 16) alleging Defendant discriminated against and harassed her via text and letters “to the point Plaintiff ended up in a mental health

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District 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 Report and Recommendation to which 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 with instructions. 28 U.S.C. § 636(b)(1).

hospital” Plaintiff claims Defendant used her disability against her and worked with others in acquiring an illegal arrest warrant. Plaintiff’s Amended Complaint asks for money damages in the amount of \$500,000.

On June 4, 2021, the Magistrate Judge issued a Report and Recommendation, recommending that Plaintiff’s Complaint be dismissed without prejudice and without leave for further amendment, because Plaintiff’s Amended Complaint fails to correct the deficiencies, and like the original Complaint, fails to state a claim that falls within the Court’s jurisdiction. (DE 21.)

The Plaintiff filed no objections to the Report and Recommendation. In the absence of objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). The Court 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).

After a thorough review of the Report and Recommendation and the record in this case, the Court adopts the Report and Recommendation and incorporates it herein.

It is, therefore, **ORDERED** that Plaintiff’s Complaint is dismissed without prejudice.

IT IS SO ORDERED.



Joseph Dawson, III
United States District Judge

Greenville, South Carolina
July 22, 2021

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.