

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Dyzshon R.A. Boykins,)	C/A No. 5:12-114-JFA-KDW
)	
Plaintiff,)	
v.)	ORDER
)	
Orangeburg County Jail; Nurse Webber;)	
)	
Defendants.)	
_____)	

The *pro se* plaintiff brings this civil action *pro se*, and *in forma pauperis* pursuant to 42 U.S.C. § 1983. The plaintiff contends that after a spider bit his cheek, that he received a lack of medical attention. He also raises various claims regarding conditions of confinement related to prison food, recreation, sanitation, and inmate treatment by correctional officers.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation and opines that the complaint fails to state a claim on which relief may be granted. Specifically, the Magistrate Judge suggests the defendant Orangeburg County Jail is not a “person” amenable to suit under § 1983 and that the claims against the remaining named defendants are conclusory and insufficient to state a § 1983 claim. The Report sets

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. 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 the court. *Mathews v. Weber*, 423 U.S. 261 (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, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

On March 27, 2012, the plaintiff was mailed a copy of the Report and Recommendation, which was filed on that same day, and advised of his right to file objections to the Report. The plaintiff did not file objections to the Report and the time within which to do so has now expired. In the absence of specific objections to the Report of the Magistrate Judge, 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).

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. The Report is incorporated herein by reference.

Accordingly, this action is summarily dismissed without prejudice.

IT IS SO ORDERED.

May 21, 2012
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge