

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

DAVID BUFF, a/k/a David Keith Buff,)
a/k/a Osiris,)
)
Plaintiff,)
)
vs.)
)
SOUTH CAROLINA DEPARTMENT OF)
CORRECTIONS; and BRYAN P.)
STIRLING,)
)
Defendants.)
_____)

Case No. 5:14-cv-03022-TLW

ORDER

Plaintiff David Buff, proceeding pro se and in forma pauperis, filed this civil action pursuant to 42 U.S.C. § 1983 against the South Carolina Department of Corrections (“SCDC”) and Bryan P. Stirling. (Doc. #1). Plaintiff is incarcerated in the Special Management Unit at the Lieber Correctional Institution in Ridgville, South Carolina, and he alleges that the Unit’s policies violate his First and Fourteenth Amendment rights. Id. This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Kaymani D. West, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(e), (D.S.C.). In the Report, the Magistrate Judge recommends that this Court dismiss this action without prejudice as to Defendant SCDC. (Doc. #14). Plaintiff’s objections to the Report were due by September 15, 2014. Plaintiff failed to file objections, and the matter is now ripe for disposition.

The Court is charged with conducting a de novo review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part,

the recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendation. See Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, "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 & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

In light of this standard, the Court has carefully reviewed the Report and concludes that it accurately summarizes the case and the applicable law. Accordingly, it is hereby **ORDERED** that the Report and Recommendation is **ACCEPTED**. (Doc. #14). For the reasons articulated by the Magistrate Judge, this action is **DISMISSED** without prejudice as to Defendant SCDC.

IT IS SO ORDERED.

s/ Terry L. Wooten
Terry L. Wooten
Chief United States District Judge

November 7, 2014
Columbia, South Carolina