

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

Corey Jawan Robinson,)
)
 Petitioner,)
)
 v.)
)
 Warden, Perry Correctional Institution,)
)
)
 Respondent.)
 _____)

Civil Action No.: 5:17-cv-02150-JMC

ORDER

Corey Robinson (“Petitioner”), proceeding *pro se*, filed a Petition for a Writ of Habeas Corpus (“Petition”) on August 14, 2017, seeking relief pursuant to 28 U.S.C. § 2254. (ECF No. 1.) This matter is before the court upon review of Magistrate Judge Kaymani D. West’s Report and Recommendation (“Report”) (ECF No. 17), filed on September 21, 2017, recommending that the Petition (ECF No. 1) be dismissed with prejudice. The Report sets forth in detail the relevant facts and legal standards on this matter, and the court incorporates the Magistrate Judge’s recommendation herein without recitation.

The Magistrate Judge’s Report is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court, which has no presumptive weight. The responsibility to make a final determination remains with this court. See Matthews 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 to which specific objections are made. Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005). The court may accept, reject, or modify, in whole or in part, the Magistrate Judge’s recommendation or recommit the matter with instructions. *See* 28 U.S.C. §

636(b)(1).

The parties were advised of their right to file objections to the Report “within fourteen (14) days of the date of service of the Report and Recommendation,” or by October 5, 2017 (ECF No. 17.) Petitioner filed no objections.

In the absence of objections to the Magistrate Judge’s Report, 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, 416 F.3d at 315 (quoting Fed R. Civ. P. 72 advisory committee’s note). Furthermore, failure to file specific written objections to the Report results in a party’s waiver of the right to appeal from the judgment of the District Court based upon such recommendation. 28 U.S.C. § 636(b)(1); Thomas v. Arn, 474 U.S. 140 (1985).

After a thorough review of the Report and the record in this case, the court finds the Report provides an accurate summary of the facts and law and does not contain clear error. The court **ADOPTS** the Magistrate Judge’s Report and Recommendation (ECF No. 17). The court accordingly **DISMISSES** the Petition (ECF No. 1) **WITH PREJUDICE**.

IT IS SO ORDERED.



United States District Judge

October 31, 2017
Columbia, South Carolina