

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

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|---|---|------------------------------------|
| Martel Quameh Bey, |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 5:18-cv-00384-TLW |
| v. |) | |
| |) | |
| Stephanie Singleton; Deputy Cook; Deputy |) | |
| Lilianthol; Deputy Donahoe; Sgt. Caswell; |) | |
| Sgt. Williams; Sgt. Green; Sgt. Roderick; |) | |
| Sgt. Sheppard; and Major Smith, |) | ORDER |
| |) | |
| Defendants. |) | |
| _____ |) | |

Plaintiff Martel Quameh Bey brought this action, *pro se*, seeking damages pursuant to 42 U.S.C. § 1983. ECF No. 1. He also filed a motion to proceed *in forma pauperis*. ECF No. 2. On April 24, 2018, Plaintiff was advised that if he failed to bring the case into proper form, the action was subject to dismissal. ECF No. 14. On July 5, 2018, Plaintiff was advised again that if he failed to bring the case into proper form, the action would be dismissed. ECF No. 18. The Order also extended the deadline to respond until July 20, 2018. Despite these filings, Plaintiff failed to respond or to bring this case into proper form.

This matter now comes 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 had previously been assigned pursuant to 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(e), (D.S.C.). ECF No. 26. In the Report, the Magistrate Judge recommends that the motion to proceed *in forma pauperis* be denied, and the Complaint be dismissed. *Id.* Objections were due on August 27, 2018, however, Plaintiff failed to file objections to the Report.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept,

reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report, 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 has carefully reviewed the Report and relevant filings. For the reasons articulated by the Magistrate Judge, the Magistrate Judge's Report and Recommendation, ECF No. 26, is **ACCEPTED**, Plaintiff's motion to proceed *in forma pauperis*, ECF No. 2, is **DENIED**, and this action is summarily **DISMISSED**. Although a close question, this Court concludes the dismissal should be *without prejudice* for failure to state a claim, failure to prosecute, and failure to comply with the Court's orders.

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

November 6, 2018
Columbia, South Carolina