

UNITED STATES DISTRICT COURT
 DISTRICT OF SOUTH CAROLINA

Maurice Antoine Agumagu,)	C/A No. 6:09-2677-JFA-KFM
)	
Plaintiff,)	
vs.)	
)	ORDER
Simon Major; Darrell McGhaney; John)	
Adams; and Jay Shire,)	
)	
Defendants.)	

The *pro se* plaintiff, Maurice Antoine Agumagu, brings this action pursuant to 42 U.S.C. § 1983 alleging that the defendants were negligent and deliberately indifferent to his health and safety while he was a pretrial detainee at Sumter-Lee Regional Detention Center.

The defendants filed a motion for summary judgment and an order was issued pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975) notifying plaintiff of the summary dismissal procedure and possible consequences if he failed to adequately respond to the motion to dismiss. The plaintiff responded to the motion.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation wherein he suggests that the defendants’ motion for summary judgment

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 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. 28 U.S.C. § 636(b)(1).

should be granted because the plaintiff has failed to state a claim on the merits. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of his right to file objections to the Report and Recommendation which was entered on the docket on September 22, 2010. However, the plaintiff did not file any objections to the Report within the time limits prescribed.

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 a careful review of the record, the applicable law, and the Report and Recommendation, the court finds the Magistrate Judge's recommendation proper and incorporated herein by reference. Accordingly, the defendants' motion for summary judgment is granted.

IT IS SO ORDERED.

October 25, 2010
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge