

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

Danny Ray Gainey,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 6:11-1247-TLW-KFM
	)	
Nurse R. Kelly, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On May 25, 2011, the Plaintiff, Danny Ray Gainey (“Plaintiff”), proceeding *pro se*, filed this civil action alleging violation of 42 U.S.C. § 1983. (Doc. # 1).

The matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by Magistrate Judge Kevin F. McDonald to whom this case had previously been assigned. In the Report, the Magistrate Judge recommends that Plaintiff’s complaint be dismissed for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (Doc. # 58). Objections were due by March 12, 2012. Plaintiff has filed no 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 and Recommendation 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).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. # 58). The Plaintiff's complaint is thereby **DISMISSED**. The Defendants' Motion for Summary Judgment is terminated as moot. (Doc. # 43).

**IT IS SO ORDERED.**

\_\_\_\_s/Terry L. Wooten\_\_\_\_  
United States District Judge

March 13, 2012  
Florence, South Carolina