

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

Anthony R. Taylor, #197565,)	
)	
Petitioner,)	
)	C/A No.: 6:14-cv-00356-TLW
vs.)	
)	
Cecilia R. Reynolds, Warden,)	
)	
Respondent.)	
_____)	

ORDER

Petitioner Jimmy Anthony R. Taylor, proceeding pro se and in forma pauperis, filed this Petition seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2241, and challenging his consecutive sentences of twenty years and ten years in prison. (Doc. #1). This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed on February 20, 2014, by Magistrate Judge Kevin McDonald, (Doc. #8), to whom this case was previously assigned. In the Report, the Magistrate Judge recommends that the § 2241 Petition be dismissed without prejudice and without requiring respondent to file a return. Plaintiff filed objections to the Report on March 12, 2014. (Doc. #12). The Court has reviewed the Report and the objections. In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections.... The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a de novo determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed,

in either case the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992)

(citations omitted).

In light of the standard set forth in Wallace, the Court has reviewed, de novo, the Report and the objections. After careful review of the Report and objections thereto, the Court hereby **ACCEPTS** the Report. (Doc. #8). The Petitioner's objections, (Doc. #12), are **OVERRULED**. The Petitioner's § 2241 Petition is **DISMISSED** without prejudice and without requiring Respondent to file a return.

IT IS SO ORDERED.

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

October 16, 2014
Columbia, South Carolina