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

Honanda Goldsmith, Homondo Goldsmith, Plaintiffs, v. Denise Ritacco, Defendant.	)	Civil Action No. 6:18-cv-01233-TMC **ORDER**

Plaintiffs, proceeding pro se, filed a notice of removal seeking to remove this action from the state magistrate court. (ECF No. 1). As a basis for removal, Plaintiffs cite alleged violations of the Uniform Commercial Code and the Fair Debt Collection Practices Act. *Id.* In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02, D.S.C., this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge's Report and Recommendation ("Report"), recommending that this action be remanded *sua sponte* for lack of subject matter jurisdiction. (ECF No. 8). Plaintiffs were advised of their right to file objections to the Report. (ECF No. 8 at 5). However, Plaintiffs did not file objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *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 v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

After a careful and thorough review of the record under the appropriate standards, as set forth above, the court adopts the Report (ECF No. 8), which is incorporated herein by reference. Accordingly, this case is **REMANDED *sua sponte*** for lack of subject matter jurisdiction.[1]

IT IS SO ORDERED.

s/Timothy M. Cain
United States District Judge

May 30, 2018
Anderson, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.

[1] A court may remand a case sua sponte when the court lacks jurisdiction to hear the case. *See Ellenburg v. Spartan Motors Chassis, Inc.*, 519 F.3d 192, 198 (4th Cir. 2009).