

objections to the Report and the serious consequences for failing to do so. No party has filed such objections, and the time to do so has passed.

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. See *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. 636(b). The Court will review the Report only for clear error in the absence of an objection. See *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of 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.” (citation omitted)).

After considering the record in this case, the applicable law, and the Report of the Magistrate Judge, the Court finds no clear error and agrees with the Report’s recommendation that the Motions to Dismiss filed by the Upstate Defendants [45]; Defendant Corbett [52]; and the PAC Defendants [78] be denied. Accordingly, the Court adopts the Report by reference in this Order. The Motions to Dismiss [45, 52, 78] are denied.

IT IS SO ORDERED.

s/Donald C. Coggins, Jr.
United States District Judge

March 5, 2019
Spartanburg, South Carolina