

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

Anthony D. Richardson and Delinda )  
Ann Turner, )  
  )  
  )  
Plaintiffs, )                                 C.A. No.: 7:10-cv-02679-JMC  
  )  
  )  
v. )   **OPINION AND ORDER**  
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  )  
  )  
Union Public Safety Department Police; )  
Chief Sam White; Mickey Parker; )  
Investigator Beatty; and Captain Bailey, )  
  )  
  )  
Defendants. )  
  )  
\_\_\_\_\_ )

This matter is before the court on the Magistrate Judge's Report and Recommendation [Doc. 118]. The Magistrate Judge's Report and Recommendation, filed on October 12, 2011, recommends that Plaintiff's Motion to Lift Stay [Doc. 109] be denied. The Report and Recommendation sets forth in detail the relevant facts and legal standards on this matter, and the court incorporates the Magistrate Judge's recommendation herein without a recitation.

The Magistrate Judge's Report and Recommendation is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objections are made, and the court

may accept, reject, or modify, in whole or in part, the Magistrate Judge's recommendation or recommit the matter with instructions. *See 28 U.S.C. § 636(b)(1).*

The parties were advised of their right to file objections to the Report and Recommendation [Doc 118-1]. However, neither party has filed objections.

In the absence of specific objections to the Magistrate Judge's Report and Recommendation, 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). 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). Furthermore, failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. *See United States v. Schronce*, 727 F.2d 91, 94 & n.4 (4th Cir. 1984).

After a thorough review of the Report and Recommendation and the record in this case, the court adopts the Magistrate Judge's Report and Recommendation [Doc. 118]. It is therefore **ORDERED** that Plaintiff's Motion to Lift Stay [Doc. 109] is **DENIED**.

**IT IS SO ORDERED.**



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United States District Judge

November 1, 2011  
Greenville, South Carolina