

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON/GREENWOOD DIVISION

RECEIVED  
U.S. DISTRICT COURT  
CHARLESTON, SC  
2009 DEC -9 P 1:23

William Howard Rutland, #0903032, )  
)  
Plaintiff, )  
)  
v. )  
)  
Berkeley County Sheriff Wayne )  
Dewitt, Capt. Barry Currie, Lt. )  
Butch Rivers, Sgt. Kris Jacuman, )  
and Sgt. Rosemary Sanders, )  
)  
Defendants. )  
\_\_\_\_\_ )

Civil Action No. 8:09-1717-SB

**ORDER**

This matter is before the Court upon the Plaintiff's pro se complaint filed pursuant to 42 U.S.C. § 1983. By local rule, the matter was referred to a United States Magistrate Judge for preliminary determinations.


On November 4, 2009, United States Magistrate Judge Bruce Howe Hendricks issued a report and recommendation ("R&R") analyzing the Plaintiff's complaint and recommending that the Court dismiss the Plaintiff's complaint without prejudice and without issuance and service of process. Attached to the R&R was a notice advising the Plaintiff of his right to file specific, written objections to the R&R within ten days of the date of service of the R&R. The Court mailed a copy of the R&R to the Plaintiff, but on November 16, 2009, the Court received the copy returned and marked as undeliverable/gone. On November 16, 2009, however, the Court also received an address update from the Plaintiff. Therefore, the Court mailed a copy of the R&R to the Plaintiff's new address. Despite this second mailing, no objections have been filed to date.

Absent timely objection from a dissatisfied party, a district court is not required to

review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriners's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Plaintiff did not file any specific, written objections, the Court need not conduct a de novo review of any portion of the R&R. Accordingly, the Court hereby adopts the Magistrate Judge's R&R (Entry 11) as the Order of this Court, and it is

**ORDERED** that the Defendants' motion for summary judgment is granted, and the Plaintiff's complaint is dismissed with prejudice.

**AND IT IS SO ORDERED.**

  
The Honorable Sol Platt, Jr.  
Senior United States District Judge

December 8, 2009  
Charleston, South Carolina

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