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

Jimmy Campbell, Jr., # 274477, Plaintiff, vs. Robert Fitzsimmons, Attorney; Jarrett Douglas, Officer; Charles Gonzales, Officer; Carol A. McCurry, Solicitor; Barbara Mcllwain, Victim, Defendants.	)	Civil Action No.: 8:10-910-TLW-BHH

ORDER

Plaintiff, Jimmy Campbell, Jr. ("plaintiff"), filed this civil action, *pro se*, on April 15, 2010. (Doc. #1).

This matter now comes before this Court for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Bruce H. Hendricks to whom this case had previously been assigned. (Doc. #14). In the Report, the Magistrate Judge recommends that the District Court dismiss this case without prejudice and without issuance and service of process, and that this case be deemed a strike under 28 U.S.C. § 1915(g). (Doc. #14). The plaintiff filed objections to the report, as well as multiple additional attachments to the objections. (Docs. #17, #20, #22, #23, #24, #25, #26, #27[1]). In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party

[1]Docket Entry #26 and #27 are each captioned as a "Motion to Amend" but have been construed by the Court as an additions to the plaintiff's objections to the Report.

> 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 **ACCEPTS** the Report. (Doc. #14). For the reasons articulated by the Magistrate Judge, this case is hereby **DISMISSED** without prejudice and without issuance and service of process, and this case is hereby deemed a **STRIKE** under 28 U.S.C. § 1915(g).

IT IS SO ORDERED.

s/Terry L. Wooten
United States District Judge

May 28, 2010
Florence, South Carolina