

relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The plaintiff was advised of his right to file objections to the Report and Recommendation and he has timely done so. In his objection memorandum, the plaintiff argues that the defendants have failed to respond to his requests for production and as a result, plaintiff was and is unable to submit a new summons and USM 285 form with a more accurate address. Plaintiff then blames his failure on his lack of skill and training in law and his inability to get a pass to the law library to research the rule. He further contends that his cases are being hindered because of reduced hours and days at the law library. Finally, plaintiff makes the comment that the district court denied his motion to enforce relief, and “expects plaintiff to follow the Federal Rules of Civil Procedure while shackles are placed on his entry into the law library.”

This undersigned is not persuaded by plaintiff’s various excuses for not submitting a new summons or Form USM 285 as he was previously instructed and apprised by the Magistrate Judge to do. Accordingly, his objections are overruled.

After a careful review of the record, the applicable law, the Report and Recommendation, the court adopts the Magistrate Judge’s recommendation and incorporates it herein by reference.

Accordingly, defendant Chaplain Unknown Morrison is dismissed from this action without prejudice for failure of service of process. The Clerk is directed to return the file in this case to the Magistrate Judge.

IT IS SO ORDERED.

July 23, 2014
Columbia, South Carolina

A handwritten signature in black ink that reads "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge