

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

Ronald Estep, #344622, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Nurse Johnson, individual and in her )  
 official capacity; Nurse McQueen, )  
 individual and in her official capacity, )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

Civil Action No. 8:14-2569-TMC-JDA

**ORDER**

Plaintiff, a state prisoner proceeding pro se, brought this action pursuant to 42 U.S.C. § 1983. In accordance with 28 U.S.C. § 636(b)(1) and Local Civ. Rule 73.02, DSC, this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge’s Report and Recommendation (“Report”), recommending that the court dismiss without prejudice Defendant Nurse McQueen. (ECF No. 42.) Plaintiff has not filed any objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *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).

After a thorough review of the Report and the record in this case, the court adopts the Magistrate Judge's Report (ECF No. 42) and incorporates it herein. It is therefore **ORDERED** that Defendant Nurse McQueen is **DISMISSED** without prejudice.

**IT IS SO ORDERED.**

s/Timothy M. Cain  
United States District Judge

December 12, 2014  
Anderson, South Carolina