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

Thomas E. Webb, Plaintiff, v. Warden Lee Correctional Institution, Respondent.	)	Civil Action No. 8:15-cv-01310-JMC **ORDER**

Petitioner, proceeding *pro se*, brought this action seeking relief pursuant to 28 U.S.C. § 2254 (2012). (ECF No. 1) This matter is before the court for review of the Magistrate Judge's Report and Recommendation ("Report") (ECF No. 43), filed on January 28, 2016, recommending that Respondent's Motion for Summary Judgment (ECF No. 18) be granted in its entirety and the petition (ECF No. 1) be dismissed with prejudice. The Report 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 is made in accordance with 28 U.S.C. § 636(b)(1) (2012) and Local Civil Rule 73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to this court, and 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).

This court granted Petitioner's Motion for Extension of Time to file objections to the Report. (ECF No. 46.) Petitioner was given until March 11, 2016 to file objections. (*Id.*) Petitioner filed no objections.

In the absence of objections to the Magistrate Judge's Report, this court is not required to provide an explanation for adopting the Magistrate Judge's 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).

After a thorough review of the Report and the record in this case, the court finds the Report provides an accurate summary of the facts and law and that there is no clear error. The court **ADOPTS** the findings of the Magistrate Judge's Report and Recommendation (ECF No. 43). It is therefore **ORDERED** that Respondent's Motion for Summary Judgment (ECF No. 18) be **GRANTED** in its entirety, and the petition (ECF No. 1) be **DISMISSED** with prejudice.

IT IS SO ORDERED.

United States District Judge

March 17, 2016
Columbia, South Carolina