



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

WILLIAM PARKER,
Plaintiff,

vs.

G4S SECURE SOLUTIONS USA INC.,
Defendant.

§
§
§
§
§
§
§

CIVIL ACTION NO. 8:16-2993-MGL-KFM

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
AND GRANTING DEFENDANT'S MOTION TO DISMISS IN PART
AND DENYING IT IN PART**

This case was filed as a job discrimination action. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting Defendant's Motion to Dismiss Plaintiff's Amended Complaint be granted in part and denied in part. If the Court adopts this recommendation, the Magistrate Judge suggests the Court direct Plaintiff to file a Second Amended Complaint with the hostile work environment cause of action deleted and either provide specific details of the factual allegations contained in the administrative charge or attach a copy of the charge. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may

accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on March 3, 2017, but Plaintiff failed to file any objections. “[I]n 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). Moreover, a failure to object waives appellate review. *Wright v. Collins*, 766 F.2d 841, 845-46 (4th Cir. 1985).

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court adopts the Report and incorporates it herein. Therefore, it is the judgment of this Court Defendant’s Motion to Dismiss Plaintiff’s Amended Complaint is **GRANTED IN PART AND DENIED IN PART**.

Plaintiff is hereby directed to file a Second Amended Complaint with the hostile work environment cause of action deleted and either provide specific details of the factual allegations contained in the administrative charge or attach a copy of the charge. The Court will leave the setting of the due date for this document to the wise discretion of the learned Magistrate Judge.

IT IS SO ORDERED.

Signed this 20th day of March, 2017, in Columbia, South Carolina.

s/ Mary Geiger Lewis
MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE