

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

Willie Jeff Harrison, #242170,)
)
 Plaintiff,)
)
 vs.)
)
 Frank Epps, David E. Wagner, Gordon E.)
 Seneruis, State Budget and Control Board,)
)
 Defendants.)
 _____)

C/A No.: 8:17-cv-02104-TLW

ORDER

Plaintiff Willie Jeff Harrison, proceeding *pro se*, filed this action on August 8, 2017, alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. ECF No. 1. Also on August 8, 2017, Plaintiff filed a “Motion For An Injunction Order To be Taken against The Defendants.” ECF No. 4. This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed on August 22, 2017, by United States Magistrate Judge Kevin F. McDonald, ECF No. 10, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d), (D.S.C.). In the Report, the Magistrate Judge recommends that the Court dismiss Plaintiff’s claims pursuant to *Heck v. Humphrey*, 512 U.S. 477 (1994). *Id.* The deadline to file objections was September 5, 2017.¹ However, Plaintiff failed to file objections to the Report. This matter is now ripe for disposition.

The Court is charged with conducting a *de novo* review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the

¹ The Court notes that Plaintiff filed a change of address on September 12, 2017. Thereafter, the Court mailed the Report, ECF No. 10, including the Notice of Right to File Objections to Report and Recommendation, to Plaintiff’s new address. Plaintiff did not file objections in response to the Report that was mailed to his updated address.

recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendation. *See Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, "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 & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

In light of this standard, the Court has carefully reviewed the Report, the relevant filings, and the applicable law. After careful consideration, the Court accepts the factual and legal analysis by the Magistrate Judge and notes that Plaintiff has not filed objections. Accordingly, the Court hereby **ACCEPTS** the Report, ECF No. 10. For the reasons stated in the Report, Plaintiff's motion for preliminary injunction, ECF No. 4, is **DENIED**, and this action is hereby **DISMISSED** without prejudice.

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

November 6, 2017
Columbia, South Carolina