

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

Herman Rigby,

Plaintiff,

vs.

S.C. Dept. of Corrections, Director Ozmint;
Summerville Police-Detective Cassandra
Williams; Dorchester County Det. J.B.
Garrison; B. Harrison Bell, Jr., Solicitor;
Attorney John M. Loy; Holland Lee
Williams; Elizabeth Gibson Manning;
News Channel 5; and Post and Courier
News,

Defendants.

C.A. No.: 9:08-03421-RBH

ORDER

This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Bristow Marchant , made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local 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 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 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. See 28 U.S.C. § 636(b)(1).

No objections were filed to the Report and Recommendation. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

After a thorough review of the Report and Recommendation and the record in this case, the court adopts Magistrate Judge Bristow Marchant's Report and Recommendation and incorporates it herein. It is therefore

ORDERED that this Court dismisses without prejudice and without issuance and service of process, the following defendants: B. Harrison Bell, Jr., Solicitor; John M. Loy, Attorney; Holland Lee Williams; Elizabeth Gibson Manning; News Channel 5; and, Post and Courier News. Process shall issue for service of the remaining defendants: Director Ozmint; Detective Cassandra Williams; and, Detective J. B. Garrison.

IT IS SO ORDERED.

s/ R. Bryan Harwell _____
R. Bryan Harwell
United States District Judge

Florence, South Carolina
November 19, 2008