

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

## ORDER

Plaintiff, Jimmy Culpepper, Jr., ("plaintiff"), brought this civil action, *pro se*, pursuant to 42 U.S.C. § 1983 on September 2, 2009. (Doc. #1).

This matter now comes before this Court for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Bristow Marchant, to whom this case had previously been assigned. In the Report, the Magistrate Judge recommends the Defendants' motion be granted and that this case be dismissed, without prejudice, under Heck v. Humphrey. (Doc. # 31). Objections were originally due on March 15, 2010. Plaintiff notified this Court that he had not received a copy of the Report. Therefore, this Court sent a copy to his new mailing address and informed Plaintiff that he must submit a written notice of change of address if he moves to a new location. The objection deadline was reset to April 5, 2010. As of this date, Plaintiff has failed to file any objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. §

636. In the absence of objections to the Report 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).

The Court has carefully reviewed the Magistrate Judge's Report. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. (Doc. # 31). Therefore, this case is **DISMISSED** without prejudice.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
United States District Judge

April 15, 2010  
Florence, South Carolina