

have been filed to the magistrate judge's report and recommendation.

A de novo review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's report and recommendation is **AFFIRMED**, and plaintiff's Motion for Leave to Proceed *In Forma Pauperis* is **DENIED**.

IT IS FURTHER ORDERED that plaintiff has twenty-one (21) days from the date of this order to pay the full \$350.00 filing fee, in which event this matter will be returned to the Magistrate Judge assigned to conduct a review of plaintiff's complaint pursuant to 28 U.S.C. § 1915A. However, if plaintiff fails to pay the full \$350 filing fee within twenty-one (21) days from the date of this order, or seek an extension of time to do so, then the court will issue a final order dismissing the complaint without prejudice and without issuance and service of process.

AND IT IS SO ORDERED.



David C. Norton
Chief United States District Judge

Charleston, South Carolina
July 22, 2011

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.

of what is required." Id. at 846. Plaintiff was advised in a clear manner that his objections had to be filed within ten (10) days, and he received notice of the consequences at the appellate level of his failure to object to the magistrate judge's report.