

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

PAUL BROWN, #263009,)	Civil No. 9:12-2467 DCN
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
ALAN WILSON, ATTORNEY GENERAL))	
FOR THE STATE OF SOUTH CAROLINA,)))	
)	
Defendant.)	
_____)	

On October 17, 2012, this court issued an Order adopting the Magistrate Judge’s Report and Recommendation and dismissed the instant action without prejudice and without issuance and service of process. On October 18, 2012, judgment was entered in this case by the Clerk of Court. On October 19, 2012, plaintiff filed his objections to the Magistrate Judge’s Report and Recommendation. It appears from a review of the file and plaintiff’s objections that said objections were timely, as they were due on October 15, 2012, and pursuant to plaintiff’s certificate of service were delivered to the legal mail office at Turbeville Correctional Institution on October 15, 2012. However, the objections were not received in the Clerk of Court’s office until October 19, 2012. Now therefore,

IT IS HEREWITH ORDERED that this court’s Order filed on October 17, 2012, dismissing the instant action without prejudice and without issuance and service of process and the judgment filed on October 18, 2012 are herewith vacated, and this matter is herewith reinstated for consideration of plaintiff’s objections.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'D. Norton', written over a horizontal line.

DAVID C. NORTON
United States District Judge

November 8, 2012
Charleston, South Carolina