

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Jerrod Brown,)	C/A No. 9:12-3409-JFA-BM
)	
Petitioner,)	
)	
vs.)	ORDER
)	
Warden of FCI Estill,)	
)	
Respondent.)	
_____)	

The *pro se* petitioner, Jerrod Brown, brings this action pursuant to 28 U.S.C. § 2241 challenging his 2004 conviction in the United States District Court for the Southern District of Georgia for possession of a firearm by a felon.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation wherein he opines that the respondent’s motion to dismiss or for summary judgment² should be granted. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

The petitioner was advised of his right to file objections to the Report and Recommendation. However, the petitioner did not file objections and the time within which

¹ The Magistrate Judge’s review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report 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 to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

² An order was issued pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975) notifying petitioner of the summary dismissal procedure and possible consequences if he failed to adequately respond to the motion for summary judgment. Petitioner responded to the motion.

to do so has now expired. In the absence of specific 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).

After a careful review of the record, the applicable law, and the Report and Recommendation, the court finds the Magistrate Judge's recommendation proper and adopts and incorporates the Report herein by reference. Accordingly, the respondent's motion to dismiss (ECF No. 16) is granted and this action is dismissed with prejudice.

IT IS SO ORDERED.



Joseph F. Anderson, Jr.
United States District Judge

September 24, 2013
Columbia, South Carolina