

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

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|------------------------------|---|----------------------------|
| T. Terance Bryan, |) | C/A No.: 9:13-cv-01826-TLW |
| aka Terrence Terell Bryan, |) | |
| aka T Terell Bryan, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | |
| Bristol-Myers Squibb Company |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

ORDER

On October 17, 2012, Defendant Bristol-Myers Squibb Company (“Defendant”) removed this civil action from New Jersey State Court to the United States District Court for the District of New Jersey on the basis of diversity jurisdiction. (Doc. #1). The case was transferred to the District of South Carolina on June 28, 2013. (Doc. #50). In the case, pro se Plaintiff T. Terance Bryan (“Plaintiff”) asserts that a drug, Buspar, provided to him in prison and allegedly manufactured by the Defendant, caused the Plaintiff certain injuries. (Doc. #1-1). Following the transfer of the case to the District of South Carolina, Plaintiff filed motions for issuance of a subpoena, (Doc. #81), for default judgment, (Doc. #82), and for summary judgment, (Doc. #83). Beginning on September 6, 2013, several documents were mailed to the Plaintiff, including an Order granting Defendant’s Motion for Extension and a Report and Recommendation. (Docs. #86, 90, 92). The mail in each case was returned and marked “Refused.” (Docs. #91, 93, 95). Magistrate Judge Bristow Marchant issued a Supplemental Report and Recommendation on

October 23, 2013, recommending dismissal of the case, with prejudice, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (Doc. #96). This document was also mailed to the Plaintiff, (Doc. #97), but again the mail was returned and marked “Refused,” (Doc. #98). Plaintiff did not object to either the Report and Recommendation or Supplemental Report and Recommendation.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report 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, 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).

This Court has carefully reviewed the record and the Magistrate Judge’s Supplemental Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Supplemental Report and Recommendation, (Doc. #96), is **ACCEPTED**. The Plaintiff’s Complaint (Doc. #1-1) is **DISMISSED** with prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. The Plaintiff’s Motion for issuance of Subpoena, (Doc. #81), Motion for Default Judgment, (Doc. #82), and Motion for Summary Judgment, (Doc. #83), and the Magistrate Judge’s Report and Recommendation, (Doc. #89), are terminated as moot in light of this order.

IT IS SO ORDERED.

s/Terry L. Wooten
Chief United States District Judge

December 4, 2013
Columbia, South Carolina