

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

Patrick Guess,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 9:13-cv-02260-TLW
)	
John McGill, Dir. of SCDMH;)	
Holly Scaturro, Dir. of SVPTP;)	
Robert Stevenson, III, Warden of BRCI;)	
William Byars, Dir. of SCDOC; and)	
SCDOC Chaplin Services)	
)	
Defendants.)	
_____)	

ORDER

Plaintiff Patrick Guess, proceeding pro se, filed this civil action in the Court of Common Pleas for the State of South Carolina, Richland County, alleging that Defendants have violated his religious rights as a practicing Muslim, in violation of the First Amendment and the Religious Land Use and Institutionalized Persons Act. (Doc. #1). Defendants removed the action to the United States District Court pursuant to 28 U.S.C. § 1441, asserting that the Complaint raises issues of federal statutory and constitutional law. Id. Defendants filed a motion for summary judgment on March 27, 2014. (Doc. #27). Plaintiff filed a response in opposition on May 16, 2014 (Doc. #43), to which Defendants replied on June 10, 2014 (Doc. #48).

This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Bristow Marchant, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2), (D.S.C.). In the Report, the Magistrate Judge recommends that this Court grant Defendants’ motion for summary judgment and dismiss this action without prejudice. (Doc. #50). Objections to the Report were

due on October 3, 2014. Plaintiff filed no objections to the detailed legal and factual analysis set forth by the Magistrate Judge. The matter is now ripe for disposition.

The Court is charged with conducting a de novo review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained therein. 28 U.S.C. § 636. However, in the absence of objections to the Report, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendation. See Camby v. Davis, 718 F.2d 198, 200 (4th Cir. 1983). In such a case, "a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note).

In light of this standard, the Court has carefully reviewed the Report and concludes that it accurately summarizes the case and the applicable law. The Court has carefully considered the legal and factual analysis set forth by the Magistrate Judge. The Court finds the detailed analysis to be a proper evaluation of the law in this area. Again, the Court notes that Plaintiff did not object to the Magistrate Judge's analysis. Accordingly, it is hereby **ORDERED** that the Report and Recommendation is **ACCEPTED**. (Doc. #50). For the reasons articulated by the Magistrate Judge, Defendants' motion for summary judgment is **GRANTED** (Doc. #27), and this action is **DISMISSED** without prejudice (Doc. #1).

IT IS SO ORDERED.

s/ Terry L. Wooten _____
Terry L. Wooten
Chief United States District Judge

October 9, 2014
Columbia, South Carolina