

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

Muhammad Al-Mujahidin,)	Civil Action No.:9:13-2672-mgl
)	
)	
)	
Plaintiff,)	ORDER AND OPINION
)	
vs.)	
)	
United States of America and Federal Bureau of Investigation,)	
)	
)	
Defendants.)	

Plaintiff Muhammad Al-Mujahidin (“Plaintiff”), an inmate at the McCormick Correctional Institution in McCormick, South Carolina, proceeding *pro se* and *in forma pauperis*, filed this action asserting a claim under the Freedom of Information Act (“FOIA”). Plaintiff contends he filed a FOIA request with the Federal Bureau of Investigation seeking “any speeches/Public Addresses made by Reverend. Dr. Martin Luther King, Jr.” (ECF No.1 at 4.) Defendants filed a motion for summary judgment on February 19, 2014 (ECF No.23.)

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02 for the District of South, this matter was referred to a United Magistrate Judge for pretrial handling and issuance of a Report and Recommendation. On March 31, 2014, the Magistrate Judge issued a Report and Recommendation recommending that Defendants’ motion for summary judgment be granted and the case be dismissed with prejudice. (ECF No. 27.) The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court may accept, reject, or modify, in whole or in part, the findings or recommendations made by

the Magistrate Judge. 28 U.S.C. § 636(b)(1). The Court may also receive further evidence or recommit the matter to the Magistrate Judge with instructions. *Id.* The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objections are made.

Plaintiff was advised of his right to file objections to the Report and Recommendation. (ECF No. 24.) However, Plaintiff filed no objections and the time for doing so expired on April 17, 2014. In the absence objections to the Magistrate Judge's Report and Recommendation, this Court is not required to provide an explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, 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 & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed.R.Civ.P. 72 and advisory committee's note).

Here, because no objections have been filed, the Court has reviewed the Magistrate Judge's findings and recommendations for clear error. Finding none, the Court agrees with the Magistrate Judge that Defendants' motion for summary judgment should be granted and this matter be dismissed with prejudice. Accordingly, the Report and Recommendation is adopted and incorporated herein by reference and this action is DISMISSED with prejudice.

IT IS SO ORDERED.

/s/Mary G. Lewis
United States District Judge

Spartanburg, South Carolina
April 25, 2014