

have been filed to the magistrate judge's report and recommendation.

A de novo review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's report and recommendation is **AFFIRMED**, and defendant Medical Nurse's motion to dismiss is **DENIED** without prejudice.

IT IS FURTHER ORDERED that plaintiff be given an additional thirty (30) days to identify, in writing, the individual Nurse against whom he is asserting claims in this lawsuit. If he does so, the court will then issue such additional orders as are necessary for the prosecution of this case. If he does not do so, then defendant Medical Nurse as set forth in the caption will be dismissed as a party defendant in this case.

AND IT IS SO ORDERED.



David C. Norton
United States District Judge

September 8, 2014
Charleston, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.

must be 'sufficiently understandable to one in appellant's circumstances fairly to appraise him of what is required.'" Id. at 846. Plaintiff was advised in a clear manner that his objections had to be filed within ten (10) days, and he received notice of the consequences at the appellate level of his failure to object to the magistrate judge's report.