

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

Jeffrey William Crouchman,

Plaintiff

v.

Southern Health Partners, Dr. Sellman, Nurse
Denise, Lt. Kristie Leopard, Officer K.
Nowaczcki, Officer K. Talley, and Officer
Zack Durham,

Defendants.

C/A. No. 9:16-426-CMC-BM

Opinion and Order

This matter is before the court on Plaintiff's *pro se* complaint, filed in this court pursuant to 42 U.S.C. § 1983, claiming deliberate indifference to his serious medical needs. ECF No. 1. On May 23, 2016, Defendants Durham, Leopard, Nowaczcki, and Talley filed a motion for summary judgment. ECF No. 35. A *Roseboro* Order was mailed to Plaintiff on May 25, 2016, advising Plaintiff of the importance of a dispositive motion and the need for Plaintiff to file an adequate response. ECF No. 36. Plaintiff filed a response in opposition to the summary judgment motion on July 1, 2016. ECF No. 44. On July 15, 2016, those Defendants filed a reply to Plaintiff's response in opposition. ECF No. 52.

On July 14, 2016, the remaining Defendants (Southern Health Partners, Nurse Denise, and Dr. Sellman) filed a motion for summary judgment. ECF No. 48. Another *Roseboro* Order was mailed to Plaintiff on July 15, 2016. ECF No. 50. Plaintiff filed a response in opposition on August 22, 2016. ECF No. 57.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d), DSC, this matter was referred to United States Magistrate Judge Bristow Marchant for pre-trial proceedings

and a Report and Recommendation (“Report”). On August 30, 2016, the Magistrate Judge issued a Report recommending that both of Defendants’ summary judgment motions be granted. ECF No. 58. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Plaintiff has filed no objections and the time for doing so has expired, and Plaintiff’s copy of the Report has not been returned to the court.

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. *See Matthews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). The court reviews the Report only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “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.”) (citation omitted).

After reviewing the complaint, the motions, the applicable law, the record and the Report and Recommendation of the Magistrate Judge, the court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference.

Defendants' motions for summary judgment are **granted** (ECF Nos. 35 & 48), and this matter is **dismissed with prejudice**.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
September 22, 2016