

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

Celestino Anthony Gonzalez, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 Sumter County Sheriff's Department, )  
 Sumter-Lee Regional Detention Center, )  
 and Officer Glissen, )  
 )  
 Defendants. )  
 )

C/A No. 9:17-3137-TMC

**ORDER**

Plaintiff, proceeding pro se, filed this action pursuant to 42 U.S.C. § 1983. In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02, D.S.C., this matter was referred to a magistrate judge for pretrial handling. Before the court is the magistrate judge's Report and Recommendation ("Report"), recommending that Plaintiff's complaint be dismissed without prejudice and without issuance and service of process as to Defendants Sumter County Sheriff's Department and Sumter-Lee Regional Detention Center. (ECF No. 10). Further, the magistrate judge recommended that the remaining Defendant Officer Glissen be served with the Complaint. The Plaintiff was advised of his right to file objections to the Report. (ECF No. 10 at 6). However, Plaintiff filed no objections to the Report, and the time to do so has now run.

The Report has no presumptive weight and the responsibility to make a final determination in this matter remains with this court *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). In the absence of objections, this court is not required to provide an explanation for adopting the Report. *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 advisory committee's note).

After a thorough review of the Report and the record in this case, the court adopts the magistrate judge's Report (ECF No. 10) and incorporates it herein. It is therefore **ORDERED** that Defendants Sumter County Sheriff's Department and Sumter-Lee Regional Detention Center are **DISMISSED** without prejudice and without issuance and service of process. The Complaint should be served only on the remaining Defendant, Officer Glissen.

**IT IS SO ORDERED.**

s/Timothy M. Cain  
Timothy M. Cain  
United States District Judge

March 13, 2018  
Anderson, South Carolina

#### **NOTICE OF RIGHT TO APPEAL**

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.