UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

STATE OF TENNESSEE,	)	
	)	
Plaintiff,	)	
	)	Case No. 1:15-cv-98
v.	)	
	)	Judge Mattice
REGINALD CHARLES HARVEY,	)	Magistrate Judge Steger
	)	
Defendant.	)	
	)	

ORDER

On September 15, 2015, United States Magistrate Judge Christopher H. Steger filed his Report and Recommendation (Doc. 6) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Steger recommended that Defendant's Notice of Removal be dismissed and that this matter be remanded to state court.

Defendant has not filed objections to Magistrate Judge Steger's Report and Recommendation.[1] Nevertheless, the Court has conducted a review of the Report and Recommendation, as well as the record, and it agrees with Magistrate Judge Steger's well-reasoned conclusion that Defendant's removal is both procedurally and substantively deficient.

[1] Magistrate Judge Steger specifically advised the parties that they had 14 days in which to object to the Report and Recommendation and that failure to do so would waive any right to appeal. (Doc. 6 at 4 n.2); *see* Fed. R. Civ. P. 72(b)(2); *see also Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings"). Even taking into account the three additional days for service provided for in Fed. R. Civ. P. 6(d), the period in which Defendant could timely file any objection has now expired.

Accordingly:

- The Court **ACCEPTS** and **ADOPTS** Magistrate Judge Steger's findings of fact, conclusions of law, and recommendations (Doc. 6) pursuant to § 636(b)(1) and Rule 72(b);

- Defendant's Notice of Removal (Doc. 1) is hereby **DISMISSED**;

- This matter is hereby **REMANDED** to Hamilton County General Sessions Court – Criminal Division, pursuant to 28 U.S.C. § 1455(b)(4).

SO ORDERED this 8th day of October, 2015.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE