

well-supported Report and Recommendation, in which he fully addressed Plaintiff's arguments.

Accordingly, the Court **ACCEPTS and ADOPTS** Magistrate Judge Carter's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b); Plaintiff's Objections (Doc. 4) are **OVERRULED**; Plaintiff's Motion for Leave to Proceed on Appeal *In Forma Pauperis* (Doc. 1) and Plaintiff's Motion for Summary Judgment (Doc. 5) are **DENIED AS MOOT**; and this case is hereby **DISMISSED WITH PREJUDICE**.

SO ORDERED this 10th day of October, 2012.

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