

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

JOANNA GRAY,)
)
 Plaintiff,)
)
 v.) Civil Action No. 1:18-cv-0695 (AJT/MSN)
)
 BRIAN T. MOYNIHAN, *et al*,)
)
 Defendants.)
 _____)

ORDER

Pending is Plaintiff’s Objection to Report and Recommendation [Doc. No. 7] (the “Objection”) of the Magistrate Judge’s Report and Recommendation [Doc. No. 4].

On June 11, 2018, Plaintiff filed a “Complaint for Violation of Civil Rights.” [Doc. No. 1] (“Compl.”). On June 13, 2018, Plaintiff filed a Motion for Leave to Proceed *In Forma Pauperis* [Doc. No. 2]. On July 19, 2018, the Magistrate Judge recommended that Plaintiff’s Motion for Leave to Proceed *In Forma Pauperis* be conditionally granted and Plaintiff’s Complaint be dismissed. [Doc. No. 4] (“Report and Recommendation”). On July 30, 2018, Plaintiff timely filed her Objection to the Report and Recommendation. In light of the Magistrate Judge’s recommendation of dismissal of the Complaint, the court must review the Magistrate Judge’s recommendations *de novo*. See Fed. Rule Civ. P. 72(b)(3).

The Court has reviewed in detail the Complaint and record before it, and after its *de novo* review of the record, the Court adopts the Magistrate Judge’s recommendation as set forth in her Report and Recommendation. The Court finds that the Complaint fails to allege facts that make plausible a 42 U.S.C. § 1983 claim. As the Magistrate Judge correctly observed, Plaintiff “does

not claim that any specific constitutional or statutory right has been violated by state or local officials.” Report and Recommendation at 1. Based on the Court’s *de novo* review, the Court concludes for the reasons set forth in the Report and Recommendation and this Order that Plaintiff’s Motion for Motion for Leave to Proceed *In Forma Pauperis* [Doc. No. 2] should be conditionally granted and that this case be dismissed. Accordingly, it is hereby

ORDERED that Plaintiff’s Objection to Report and Recommendation [Doc. No. 7] be, and the same hereby is, OVERRULED; and it is further

ORDERED that Plaintiff’s Motion for Leave to Proceed *In Forma Pauperis* [Doc. No. 2] be, and the same hereby is, GRANTED; and it is further

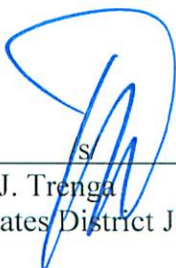
ORDERED that this action be, and the same hereby is, DISMISSED; and it is further

ORDERED that Plaintiff’s Motions for Stay [Doc. No. 5] and Ex Parte Injunction [Doc. No. 8] be, and the same hereby are, DENIED as moot.

The Clerk is directed to forward copies of this Order to all counsel of record and to the *pro se* Plaintiff.

This is a final order for the purposes of appeal. To appeal, Plaintiff must file a written Notice of Appeal with the Clerk of the Court within thirty (30) days of the date of this Order. A Notice of Appeal is a short statement stating a desire to appeal an order and identifying the date of the order Plaintiff wishes to appeal. Failure to timely Notice of Appeal waives Plaintiff’s right

Alexandria, Virginia
September 5, 2018



Anthony J. Trenga
United States District Judge