

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
Wheeling

DAMION DANTE MAURICE GREEN,

Plaintiff,

v.

CIV. ACT. NO. 5:24-CV-73

Judge Bailey

STATE OF WEST VIRGINIA,  
BRANDI OTEY, Parole Officer,  
RALEIGH COUNTY PAROLE OFFICE,  
and WEST VIRGINIA STATE PAROLE  
OFFICE & BOARD OF CHARLESTON,

Defendants.

**ORDER**

The above-referenced case is before this Court upon the magistrate judge's recommendation that this matter be dismissed with prejudice.

This Court is charged with conducting a *de novo* review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the magistrate judge. *Thomas v. Arn*, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the magistrate judge's report pursuant to 28 U.S.C. § 636(b)(1) waives the right to raise those objections at the appellate court level. *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984), *cert. denied*, 467 U.S. 1208 (1984). No objections have been filed to the magistrate judge's report and recommendation.


A *de novo* review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's report and recommendation [Doc. 7] is **ADOPTED** and this matter is **DISMISSED WITH PREJUDICE**.

The Clerk is **DIRECTED TO STRIKE** the above-styled case from the active docket of this Court.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to any counsel of record herein and to *pro se* plaintiff.

**DATED:** June 5, 2024.

  
JOHN PRESTON BAILEY  
UNITED STATES DISTRICT JUDGE