

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

KENNETH A. WHITE,

Plaintiff,

v.

CIVIL ACTION NO. 1:12-07965

OLD REPUBLIC NATIONAL
TITLE INSURANCE, et al,

Defendants.

MEMORANDUM OPINION AND ORDER

By Standing Order, on November 19, 2012, this action was referred to United States Magistrate Judge R. Clarke VanDervort for submission of findings and recommendations regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On June 19, 2013, plaintiff filed a motion to dismiss his complaint as against defendant Old Republic National Title Insurance without prejudice. Doc. No. 10. Magistrate Judge VanDervort submitted to the court his Proposed Findings and Recommendation (PF&R) on June 20, 2013, in which he recommended that the District Court grant plaintiff's motion, dismiss plaintiff's complaint without prejudice, and refer this matter back to Magistrate Judge VanDervort for further proceedings. Doc. No. 11 at 3.

In accordance with 28 U.S.C. § 636(b), the parties were allotted fourteen days, plus three mailing days, within which to file any objections to Magistrate Judge VanDervort's PF&R. The

failure of any party to file such objections constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989).

The parties failed to file any objections to Magistrate Judge VanDervort's PF&R within the seventeen-day period. Having reviewed the PF&R, the court adopts the findings and recommendations therein. Accordingly, the court **GRANTS** plaintiff's motion (Doc. No. 10), **DISMISSES** plaintiff's complaint as against defendant Old Republic National Title Insurance, and refers this matter back to Magistrate Judge VanDervort for further proceedings.

The Clerk is directed to forward a copy of this Memorandum Opinion and Order to plaintiff, pro se, and counsel of record.

IT IS SO ORDERED this 12th day of July, 2013.

ENTER:



David A. Faber

Senior United States District Judge