

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

LEONTE MACK,

Plaintiff,

v.

CIVIL ACTION NO. 1:20-00354

UNITED STATES OF AMERICA,
et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

By Standing Order, this action was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of findings and recommendation regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Aboulhosn submitted to the court his Proposed Findings and Recommendation ("PF&R") on May 21, 2021, in which he recommended that the court grant defendants' Motion to Dismiss, or in the Alternative, Motion for Summary Judgment. (ECF No. 62.)

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days and three mailing days in which to file objections to the PF&R. The failure of any party to file such objections within the time allowed 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).

Neither party filed any objections to the PF&R within the required time period.¹ Accordingly, the court adopts the PF&R as follows:

1. Defendants' Motion to Dismiss, or in the Alternative, Motion for Summary Judgment (ECF No. 44) is **GRANTED**; and
2. This action is removed from the court's docket.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record and any unrepresented parties.

IT IS SO ORDERED this 20th day of September, 2021.

ENTER:



David A. Faber
Senior United States District Judge

¹ Since the filing of the PF&R, plaintiff has filed multiple documents, but none of them can reasonably be construed as objections to the PF&R. (See ECF Nos. 63-69.) They consist of notes or ledgers concerning plaintiff's health. (See *id.*)