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

CARLOS DELGADO,

    Plaintiff,

v.   CIVIL ACTION NOS. 1:23-00202

UNITED STATES POSTAL
INSPECTION SERVICE,

    Defendant.

MEMORANDUM OPINION AND ORDER

By Standing Order, this action was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of findings and recommendations regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Aboulhosn submitted to the court his Findings and Recommendation ("PF&R") on May 1, 2024, in which he recommended that the district court grant defendant's motion to dismiss or, in the alternative, motion for summary judgment; deny plaintiff's cross motion for summary judgment, deny plaintiff's motion for entry of default, and remove this matter from the court's docket.

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge Aboulhosn's Findings and Recommendation. The failure of any party to file such objections constitutes a waiver of such

party's right to a <u>de novo</u> review by this court. <u>Snyder v. Ridenour</u>, 889 F.2d 1363 (4th Cir. 1989).

The parties failed to file any objections to the Magistrate Judge's Findings and Recommendation within the required time period. Having reviewed the Findings and Recommendation filed by Magistrate Judge Aboulhosn, the court adopts the findings and recommendations contained therein. Accordingly, the court hereby **GRANTS** defendant's motion to dismiss or, in the alternative, motion for summary judgment; **DENIES** plaintiff's cross motion for summary judgment, **DENIES** plaintiff's motion for entry of default, and **DIRECTS** the Clerk to remove this matter from the court's docket.

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

IT IS SO ORDERED this 5th day of June, 2024.

ENTER:

David A. Faber
Senior United States District Judge

2