

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

OLIVIA WARE,

Plaintiff,

v.

CIVIL ACTION NO. 1:23-00470

FPC ALDERSON,

Defendant.

**MEMORANDUM OPINION AND ORDER**

By Standing Order, this action was referred to United States Magistrate Judge Cheryl A. Eifert for submission of findings and recommendation regarding disposition pursuant to 28 U.S.C.A. § 636(b)(1)(B). Magistrate Judge Eifert submitted to the court her Findings and Recommendation on July 10, 2023, in which she recommended that the court deny plaintiff's petition for a writ of habeas corpus, dismiss this action, and remove it from the court's docket.

In accordance with the provisions of 28 U.S.C.A. § 636(b), the parties were allotted fourteen days, plus three mailing days, in which to file any objections to Magistrate Judge Eifert's Findings and Recommendation. 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).

Plaintiff's objections to the PF&R were filed today. Given the nature of those objections, the court deems it appropriate to

refer the matter back to Magistrate Judge Eifert for further proceedings. Accordingly, the court hereby **REFERS** the matter back to Magistrate Judge Eifert 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 28th day of July, 2023.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", written over a horizontal line.

David A. Faber  
Senior United States District Judge