

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

SOCRATES SPIROS THOMAS,

Plaintiff,

v.

CIVIL ACTION NO. 2:09-cv-00824

JANET PAYNE, et al.,

Defendants.

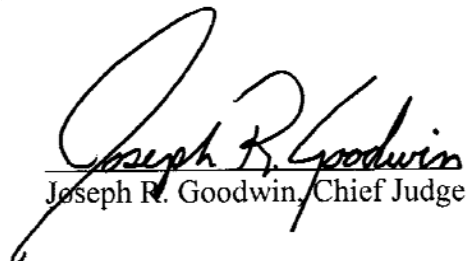
MEMORANDUM OPINION AND ORDER

Pending before the court is the defendants' Motion to Dismiss Complaint [Docket 21]. Pursuant to 28 U.S.C. § 636(b)(1)(B), this civil case was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for proposed findings of fact and recommendations for disposition. On April 12, 2010, the Magistrate Judge submitted proposed findings and recommended that the court grant the motion to dismiss. On May 26, 2010, the plaintiff filed timely objections to the proposed findings and recommendations ("PF&R").

The court has reviewed *de novo* those portions of the PF&R to which the plaintiff objects and **FINDS** the objections are without merit. The court **ADOPTS** the Magistrate Judge's proposed findings, and **GRANTS** the defendants' Motion to Dismiss [Docket 21].

The court **DIRECTS** the Clerk to send a copy of this Order to Magistrate Judge Stanley, counsel of record, and any unrepresented party.

ENTER: May 27, 2010


Joseph R. Goodwin, Chief Judge