

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

CHARLESTON DIVISION

TELLY SYLVESTER LARRY,

Plaintiff,

v.

CIVIL ACTION NO. 2:10-cv-01241

SOUTH CENTRAL REG. JAIL, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and has recommended that the court **GRANT** the Motion to Dismiss filed by defendant Roy A. Harvey [Docket 31], **GRANT** the Motion for Summary Judgment filed by the West Virginia Regional Jail Authority [Docket 53], **GRANT** the Motion for Summary Judgment filed by the other South Central Regional Jail defendants [Docket 55], and **DISMISS** the action. The plaintiff has not filed objections to the Magistrate Judge's findings and recommendation.

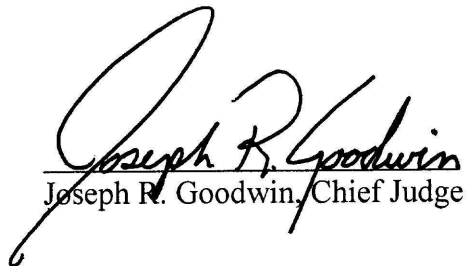
A district court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the

findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

As the plaintiff has not filed objections in this case, the court adopts and incorporates herein the findings and recommendation of the Magistrate Judge and orders judgment consistent therewith. The court **GRANTS** the Motion to Dismiss filed by defendant Roy A. Harvey, **GRANTS** the Motion for Summary Judgment filed by the West Virginia Regional Jail Authority, **GRANTS** the Motion for Summary Judgment filed by the other South Central Regional Jail defendants, and **DISMISSES** the action.

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

ENTER: February 16, 2012


Joseph R. Goodwin, Chief Judge