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

CHARLESTON DIVISION

CEDEAL HARPER,

Plaintiff,

v. CIVIL ACTION NO. 2:14-cv-07529

C.O. JOSEPH BARBAGALLO, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

Pending before the Court are Plaintiff's motions for a preliminary injunction and restraining order [ECF 6]. By Standing Order entered on April 8, 2013, and filed in this case on February 7, 2014, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation (PF&R). Magistrate Judge Tinsley filed his PF&R on August 5, 2014, recommending that this Court deny Plaintiff's motions for a preliminary injunction and restraining order.

The Court is not 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). Failure to file timely objections constitutes a waiver of de novo review and the Plaintiff's right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); *see also Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need not conduct a de novo review when a party "makes general and conclusory objections that do not direct the Court to a specific error in the magistrate's proposed findings and recommendations."

Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982). Objections to the PF&R in this case were due on August 22, 2014. To date, no objections have been filed.

Accordingly the Court **ADOPTS** the PF&R and **DENIES** Plaintiff's motions for a preliminary injunction and restraining order [ECF 6].

IT IS SO ORDERED.

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

ENTER: August 25, 2014

THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE