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

CHARLESTON DIVISION

STEVEN J. TAYLOR,

Plaintiff,

v. CIVIL ACTION NO. 2:15-cv-16550

WARDEN DAVID BALLARD, et al.,

Defendants.

ORDER

This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636. On July 22, 2016, Judge Tinsley submitted his Proposed Findings and Recommendations [ECF No. 14] ("PF&R"). The PF&R recommends the court **DENY** all three pending motions: the Motion to Dismiss the initial Complaint filed by defendants Iotov and Rose [ECF. No. 4], the Motion to Dismiss the initial Complaint filed by defendants Ballard and Rhodes [ECF No. 6], and the Motion to Dismiss the Amended Complaint filed by Ballard and Rhodes [ECF No. 11]. No party filed objections—timely or otherwise—to the PF&R.

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).

Because the parties have not filed objections, the court **ACCEPTS** and **INCORPORATES** herein the PF&R and orders judgment consistent therewith. Accordingly, the court **DENIES as moot** the Motion to Dismiss the initial Complaint filed by Iotov and Rose [ECF. No. 4], **DENIES as moot** the Motion to Dismiss the initial Complaint filed by Ballard and Rhodes [ECF No. 6], and **DENIES** the Motion to Dismiss the Amended Complaint filed by Ballard and Rhodes [ECF No. 11].

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

ENTER: August 15, 2016

JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE