

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

CHARLESTON DIVISION

ARON FREELAND,

Plaintiff,

v.

CIVIL ACTION NO. 2:17-cv-01561

MOUNT OLIVE CORRECTIONAL COMPLEX,

Defendant.

**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 September 11, 2015, Judge Tinsley submitted his Proposed Findings & Recommendations [ECF No. 5] (“PF&R”) and recommended that the court **DENY as moot** the plaintiff’s Letter-Form Motion for Injunctive Relief [ECF No. 4] and **DISMISS as moot** his Letter-Form Complaint for Injunctive Relief [ECF No. 1]. Neither party timely filed objections to the PF&R nor sought an extension of time.<sup>1</sup>

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<sup>1</sup> In fact, after receiving a copy of the PF&R entered by Judge Tinsley, the plaintiff filed a motion stating that he agreed with Judge Tinsley’s recommendation and requesting that his original complaint be dismissed without prejudice. Mot. Dismiss [ECF No. 6].

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 in this case, the court accepts and incorporates herein the PF&R and orders judgment consistent therewith. The court **DENIES as moot** the plaintiff’s Letter-Form Motion for Injunctive Relief [ECF No. 4], **DISMISSES without prejudice** his Letter-Form Complaint for Injunctive Relief [ECF No. 1], and **DIRECTS** this action to be removed from the docket.

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

ENTER: October 16, 2017



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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE