

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

DAVID N. DRESSLER

Plaintiff,

v.

Civil Action No. 2:18-CV-1126

JEFFERSON COUNTY, WV, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

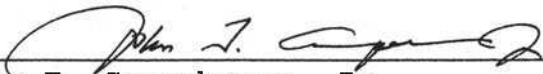
This action was previously referred to Dwane L. Tinsley, United States Magistrate Judge, who has submitted his Proposed Findings and Recommendations ("PF&R") pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B). The magistrate judge recommends in his PF&R that the court dismiss this civil action for lack of subject matter jurisdiction pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(h)(3) and that the court otherwise deny, without prejudice, the defendants' motions to dismiss.

On January 17, 2019, the PF&R was filed. On February 4, 2019, the plaintiff filed a document titled "In Response to the Defendant's Motion to Dismiss," which the court interprets as objections to the magistrate judge's PF&R. The objections do not address the deficiencies in the complaint identified by the magistrate judge. The objections are thus not meritorious.

Following a de novo review, and having concluded that the objections lack merit, it is ORDERED that the PF&R be, and it hereby is, adopted and incorporated herein. It is further ORDERED that this action be, and it hereby is, dismissed without prejudice for lack of subject matter jurisdiction.

The Clerk is directed to forward copies of this written opinion and order to the plaintiff, all counsel of record, and the United States Magistrate Judge.

ENTER: March 5, 2019



John T. Copenhaver, Jr.
Senior United States District Judge