

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

CHARLESTON DIVISION

MICHAEL ALLEN KENNEY,

Plaintiff,

v.

CIVIL ACTION NO. 2:19-cv-00021

LT. M. A. BURDETTE,

Defendant.

ORDER

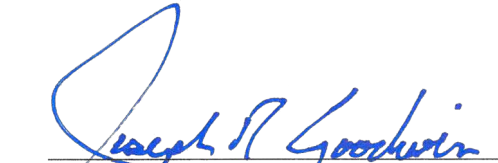
This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636. On October 10, 2021, Magistrate Judge Tinsley submitted his Proposed Findings & Recommendations [ECF No. 21] (“PF&R”) and recommended that the court **DENY** Plaintiff’s Motion for Default Judgment [ECF No. 18].

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 adopts and incorporates herein the PF&R and orders judgment consistent therewith. Plaintiff's Motion for Default Judgment [ECF No. 12] is **DENIED**.

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

ENTER: February 11, 2022



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE