

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

CHARLESTON DIVISION

TEROME JOHNSON,

Plaintiff,

v.

CIVIL ACTION NO. 2:21-cv-00622

US TRINITY ENERGY LABOR
SERVICES, LLC,

Defendant.

MEMORANDUM OPINION AND ORDER

On November 30, 2021, the Plaintiff, proceeding *pro se*, filed his *Complaint* (Document 1) in this matter. On May 2, 2022, the *Defendant's Motion to Dismiss Plaintiff's Complaint* (Document 14) was filed. By *Administrative Order* (Document 2) entered on December 1, 2021, the matter was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636.

On June 7, 2022, the Magistrate Judge submitted a *Proposed Findings and Recommendation* (Document 22) wherein it is recommended that this Court grant the *Defendant's Motion to Dismiss Plaintiff's Complaint* (Document 14), dismiss the Plaintiff's *Complaint* (Document 1) with prejudice, and remove this matter from the Court's docket. Objections to the Magistrate Judge's *Proposed Findings and Recommendation* were due by June 24, 2022.

Neither party has timely filed objections to the Magistrate Judge's *Proposed Findings and Recommendation*. 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 a party'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).

Accordingly, the Court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the *Proposed Findings and Recommendation*, and **ORDERS** that the *Defendant's Motion to Dismiss Plaintiff's Complaint* (Document 14) be **GRANTED**, the Plaintiff's *Complaint* (Document 1) be **DISMISSED with prejudice**, and this matter be **REMOVED** from the Court's docket.

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

ENTER: July 6, 2022

A handwritten signature in blue ink that reads "Irene C. Berger". The signature is written in a cursive style and is positioned above a horizontal line.

IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA