

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

**CHARLESTON DIVISION**

ZACHARY KNOTTS,

Plaintiff,

v.

CIVIL ACTION NO. 2:22-cv-00416

JENNIFER BAILEY,

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(b)(1)(B). On July 26, 2023, Magistrate Judge Tinsley submitted his Proposed Findings & Recommendation (“PF&R”), [ECF No. 33], recommending that the court dismiss Plaintiff’s Complaint, [ECF No. 1], and this civil action under Rule 12(h)(3) of the Federal Rules of Civil Procedure and 28 U.S.C. § 1915A.

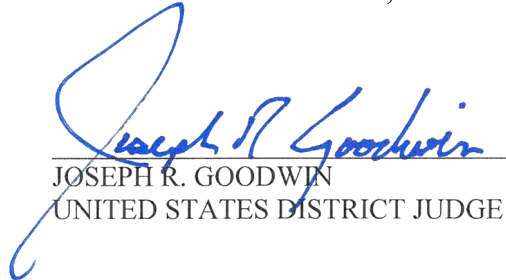
On September 11, 2023, Plaintiff filed a Motion for an Extension of Time to Answer the Proposed Findings and Recommendations. [ECF No. 35]. The court granted this motion and gave Plaintiff a new deadline of September 27, 2023, to file objections. [ECF No. 36]. Neither party filed objections to the PF&R, and the new deadline for doing so has passed.

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, 149–50 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R, [ECF No. 33], and orders judgment consistent therewith. As such, the Plaintiff’s Complaint, [ECF No. 1], and this civil action are **DISMISSED**.

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

ENTER: November 2, 2023

  
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JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE