

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
NORTH CAROLINA**

Madilynn Mary Ellen Every v. MGM Trucking LLC, et al.

Madilynn Mary Ellen Every v. MGM Trucking LLC, No. 1:25-CV-560-DAB-LPA (M.D.N.C. Apr. 16, 2026) ·

No. 1:25-CV-560-DAB-LPA · Decided April 16, 2026

OPINION

EVERY

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MADILYNN MARY ELLEN

EVERY,

Plaintiff,

1:25-CV-560-DAB-LPA

v. MGM TRUCKING LLC, et al., Defendants.

ORDER

This matter is before the Court for review of the Memorandum Opinion and Recommendation filed on March 26, 2026. (D.E. 14.) The Magistrate Judge recommends granting Plaintiff’s Motion for Leave to Amend Complaint and Add New Party (D.E. 9) and remanding to the state court in which the case originated. The deadline for objections passed on April 9, 2026, and no parties have objected to the Recommendation. Because there are no objections, the Court “must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. Proc. 72 advisory committee’s note). This Court has accordingly reviewed the Recommendation and concludes it contains no clear error. As the new defendant in the Amended Complaint is a North Carolina corporation, complete diversity is destroyed, depriving this court of subject matter jurisdiction. Accordingly, it is ORDERED that the Magistrate Judge’s Recommendation (D.E. 14) is ADOPTED and this action is REMANDED to Cabarrus County Superior Court, with each party to bear his, her or its own costs and attorney’s fees, as this court no longer has subject-matter jurisdiction over this action. This the 16th day of April, 2026. /s/ David A. Bragdon United States District Judge