

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

Daniel Michael Rorie v. Officer Roseboro, et al.

Rorie · No. 1:26-CV-381-DAB-JGM · Decided June 10, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA DANIEL MICHAEL RORIE, Plaintiff, v. 1:26-CV-381-DAB-JGM OFFICER ROSEBORO, ET AL., Defendants. ORDER This matter is before the Court for review of the Order and Recommendation filed on May 13, 2026. 5/13/26 Order and Recommendation of United States Magistrate Judge (D.E. 3).

The Magistrate Judge recommends dismissing Plaintiff’s action without prejudice because: (1) Plaintiff asserts official-capacity claims without alleging facts showing that the alleged constitutional violations resulted from a policy, custom, or practice attributable to the proper governmental policymaker; (2) Plaintiff names entities that are not proper defendants under 42 U.S.C. § 1983 or fails to allege facts establishing their liability; (3) Plaintiff references individuals involved in the alleged events but does not clearly identify them as defendants; and (4) Plaintiff’s allegations concerning the service of criminal charges and resulting bond determinations are unclear, not tied to any defendant, and appear to challenge matters more appropriately raised in state court or through a habeas proceeding rather than a § 1983 action.

The deadline for filing objections passed on June 1, 2026, and no parties have filed objections 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. Accordingly, it is ordered that the Magistrate Judge’s Recommendation, 5/13/26 Order and Recommendation, is adopted and this action is dismissed without prejudice. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 10th day of June, 2026. /s/ David A. Bragdon United States District Judge