

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

Dana Stevenson v. Aaron Payne, et al.

Stevenson · No. 2:22-cv-00155 · Decided March 26, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION DANA STEVENSON, Plaintiff, v. CIVIL ACTION NO. 2:22-cv-00155 AARON PAYNE, et al., Defendants. MEMORANDUM OPINION AND 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 March 5, 2026, Magistrate Judge Tinsley submitted his Proposed Findings & Recommendations (“PF&R”), [ECF No. 114], and recommended that the court grant Defendant Aaron Payne’s Motion to Dismiss and dismiss him from this action. Neither party timely filed objections to the PF&R nor sought an extension of time. 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. The court GRANTS Defendant Aaron Payne’s Motion to Dismiss, [ECF No. 106], and DISMISSES Defendant Aaron Payne from the action.

The matter shall remain REFERRED to Magistrate Judge Tinsley for additional proceedings against Defendants Smith and Hager. The court DIRECTS the Clerk to send a copy of this Memorandum Opinion and Order to counsel of record and any unrepresented party. ENTER:
March 26, 2026 G pe STATES DISTRICT JUDGE