

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

Jarred J. Ford v. Nash County General Hospital, Inc. et al.

Ford · No. 5:23-CV-00197-M-RN · Decided December 11, 2025

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION Case No. 5:23-CV-00197-M-RN JARRED J. FORD, Plaintiff, Vv. ORDER NASH COUNTY GENERAL HOSPITAL, INC. et al., Defendants. This matter comes before the court on United States Magistrate Judge Robert T. Numbers, II's, Memorandum and Recommendation ("the M&R"). DE 19.

This court previously dismissed Plaintiff's federal claims under the Emergency Medical Treatment and Active Labor Act but recommitted the matter to Judge Numbers to answer whether independent diversity jurisdiction exists over Plaintiff's state law medical malpractice claims. Judge Numbers determined that it does not.

Because Plaintiff fails to allege that the amount in controversy exceeds \$75,000, Judge Numbers now recommends dismissing Plaintiff's Complaint for this court's lack of subject-matter jurisdiction. A magistrate judge's recommendation carries no presumptive weight.

The court "may accept, reject, or modify, in whole or in part, the... recommendation| |... receive further evidence or recommit the matter to the magistrate judge with instructions." 28 U.S.C. § 636(b)(1); accord ' Judge Numbers issued the M&R on November 13, 2025.

Accordingly, objections were due on or before November 30, 2025. DE 19; see also 28 U.S.C. § 636(b)(1); FED. R. Civ. P. 72(b)(2); Local Civil Rule 72.4(b). The M&R was submitted to this court for disposition on December 11, 2025. Mathews v. Weber, 423 U.S. 261, 271 (1976).

The court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." Jd. § 636(b)(1). Absent a specific and timely objection, the court reviews only for "clear error" and need not give any explanation for adopting the recommendation. Diamond v. Colonial Life & Accident Ins.

Co., 416 F.3d 310, 315 (4th Cir. 2005). Upon careful review of the M&R and the record presented, and finding no clear error, the court ADOPTS the recommendation of the magistrate judge as its own. For the reasons stated therein, Plaintiff's amended complaint, DE 1, is DISMISSED WITHOUT PREJUDICE.

The Clerk of Court is directed to close this case. SO ORDERED this 6th day of December, 2025. | LV
eWS ie RICHARD FE. MYERS fl CHIEF UNITED STATES DISTRICT JUDGE

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