

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA**

Scarlett Lopez v. Dakota Ramseur

Lopez · No. 6:26-cv-00069-TMC · Decided February 4, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION Scarlett Lopez,)) Plaintiff,) Civil Action No. 6:26-cv-00069-TMC)
vs.) ORDER) Dakota Ramseur,)) Defendant.) _____) Now
before the court is the magistrate judge’s Report and Recommendation (“Report”), recommending
the district court dismiss this action without prejudice, without leave to amend, and without
issuance and service of process.

(ECF No. 8). The magistrate judge notified Plaintiff Scarlett Lopez of her right to file objections
to the Report. *Id.* at 16. The Clerk’s Office mailed the Report to Plaintiff’s last known address,
(ECF No. 11), and it has not been returned to the court as undeliverable.

Therefore, she is presumed to have received it. Still, Plaintiff has failed to file objections to the
Report, and the time in which to do so has expired. The magistrate judge’s recommendation has
no presumptive weight, and the responsibility for making a final determination remains with the
United States District Court. *Wimmer v. Cook*, 774 F.2d 68, 72 (4th Cir.

1985) (quoting *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976)). Nevertheless, “[t]he district
court is only required to review de novo those portions of the report to which specific objections
have been made, and need not conduct de novo review ‘when a party makes general and
conclusory objections that do not direct the court to a specific error in the magistrate judge’s
proposed findings and recommendations.’” *Farmer v. McBride*, 177 Fed.

App’x 327, 330–31 (4th Cir. 2006) (quoting *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982));
see also *Elijah v. Dunbar*, 66 F.4th 454, 460 (4th Cir. 2023) (noting “an objecting party ‘must
object to the finding or recommendation on that issue with sufficient specificity so as reasonably
to alert the district court of the true ground for the objection’” and “‘an objection stating only ‘I
object’ preserves no issue for review’” (quoting *United States v. Midgette*, 478 F.3d 616, 622 (4th
Cir.

2007); *Lockert v. Faulkner*, 843 F.2d 1015, 1019 (7th Cir. 1988))). Thus, “in the absence of a
timely filed objection, a district court need not conduct a de novo review, but instead 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 & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir.

2005) (quoting Fed. R. Civ. P. 72 Advisory Committee's note). The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

However, in the absence of specific objections to the Report and Recommendation, this court is not required to give any explanation for adopting the recommendation. *Greenspan v. Bros. Prop. Corp.*, 103 F. Supp. 3d 734, 737 (D.S.C. 2015) (citing *Camby v. Davis*, 718 F.2d 198, 199–200 (4th Cir. 1983)). Furthermore, failure to file specific written objections to the Report results in a party's waiver of the right to appeal the district court's judgment based upon that recommendation.

See *Elijah*, 66 F.4th at 460 (quoting *Lockert*, 843 F.2d at 1019); *Martin v. Duffy*, 858 F.3d 239, 245 (4th Cir. 2017). Therefore, having reviewed the Report and finding no clear error, the court agrees with, and wholly ADOPTS the magistrate judge's recommendation in the Report. (ECF No. 8).

Accordingly, the court DISMISSES this action without prejudice, without leave to amend, and without issuance and service of process. IT IS SO ORDERED. s/Timothy M. Cain Chief United States District Judge Anderson, South Carolina February 4, 2026 NOTICE OF RIGHT TO APPEAL The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.