

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

Brian Lee Corbett v. James Sands, et al.

Corbett · No. 2:25-cv-00337 · Decided March 20, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA CHARLESTON DIVISION BRIAN LEE CORBETT, Plaintiff, v. CIVIL ACTION NO. 2:25-cv-00337 JAMES SANDS, et al., Defendants. MEMORANDUM OPINION AND ORDER On May 22, 2025, the Plaintiff, proceeding pro se, filed his Complaint (Document 1) in this matter. Subsequently, on June 9, 2025, the Plaintiff filed an Application to Proceed Without Prepayment of Fees and Costs (Document 5) and an Amended Complaint (Document 6).

By Administrative Order (Document 4) entered on May 23, 2025, this action was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636.

On February 24, 2026, the Magistrate Judge submitted a Proposed Findings and Recommendation (Document 9) wherein it is recommended that this Court deny the Plaintiff's Application to Proceed Without Prepayment of Fees and Costs (Document 5), dismiss the Plaintiff's Complaints (Documents 1 and 6), and remove this matter from the Court's docket. 1 Objections to the Magistrate Judge's Proposed Findings and Recommendation were due by March 13, 2026.!

Neither party has timely filed objections to the Magistrate Judge's Proposed Findings and Recommendation. The Court is not 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).

Failure to file timely objections constitutes a waiver of de novo review and a party's right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); see also *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984).

Accordingly, the Court ADOPTS and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the Proposed Findings and Recommendation, and ORDERS that the Plaintiff's Application to Proceed Without Prepayment of Fees and Costs (Document 5) be DENIED, the Plaintiff's Complaints (Documents 1 and 6) be DISMISSED, and this matter be REMOVED from the Court's docket.

The Court DIRECTS the Clerk to send a certified copy of this Order to Magistrate Judge Aboulhosn, counsel of record, and any unrepresented party. ENTER: March 20, 2026 Dike CO.

Seageh/ UNITED STATES DISTRICT JUDGE SOUTHERN DISTRICT OF WEST VIRGINIA
The docket reflects that the Proposed Findings and Recommendation mailed to the Plaintiff was
returned as undeliverable on March 2, 2026.

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