

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

JUL 13 1998
LARRY W. PROPEL, CLERK
U. S. DISTRICT COURT

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| Equal Employment Opportunity |) | C.A. No. 8:97-2488-20AK |
| Commission and Marion Howard, |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | ORDER |
| |) | |
| Orian Rugs, Inc., |) | |
| |) | |
| Defendant. |) | |

This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge William M. Catoe, Jr. made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina.

The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. Mathews v. Weber, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

Neither party filed objections to the Report and Recommendation. In the absence of objections to the Report and Recommendation of the magistrate judge, this court is not

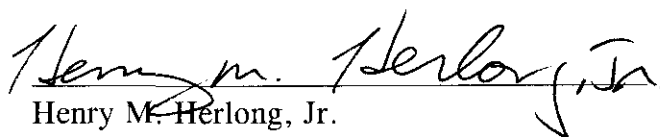
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required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198 (4th Cir. 1983).

After a thorough review of the Report and Recommendation and the record in this case, the court adopts Magistrate Judge Catoe's Report and Recommendation and incorporates it herein. It is therefore

ORDERED that the defendant's motion for partial dismissal is granted.

IT IS SO ORDERED.


Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
July 13, 1998

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