

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

ROBERT WILLIAM LOSE, JR., and
C.E.S.

Plaintiffs,

v.

CIVIL ACTION NO. 1:21CV135
(Judge Keeley)

CPS WORKERS, CPS SUPERVISOR,
PRESLEY RIDGE FOSTER CARE SYSTEMS, and
PRESLEY RIDGE FOSTER CARE PARENTS,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION [DKT. NO. 9]
AND DISMISSING THE CASE WITHOUT PREJUDICE

On October 7, 2021, the pro se plaintiffs, Robert William Lose, Jr. and C.E.S. ("the Plaintiffs"), commenced this civil action against unnamed CPS workers and supervisors, the Pressley Ridge Foster care organization, and unnamed Pressley Ridge foster care parents (Dkt. No. 1). The Court provided the Plaintiffs with a Notice of General Guidelines for Appearing Pro Se in Federal Court (Dkt. No. 4), and referred the case to United States Magistrate Judge Michael J. Aloï for initial screening and a report and recommendation ("R&R") regarding any motions filed in accordance with L.R. Civ. P. 7.02(c) and 72.01 and 28 U.S.C. 636(b) (1) (A) and 636(b) (1) (B) (Dkt. No. 3).

On October 22, 2021, Magistrate Judge Aloï entered an R&R, recommending that the Court dismiss the Plaintiff's complaint without prejudice because it lacked "any factual allegations of

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actions, omissions, or wrongdoing by the defendants” and so failed to state a claim upon which relief could be granted (Dkt. No. 9 at 5). Magistrate Judge Aloï also specifically warned the Plaintiffs that failing to object to the recommendation would result in the waiver of their right to appeal the ruling. *Id.* at 5-6.

According to a return receipt filed with the Court, the R&R was received at the Plaintiffs’ address on October 29, 2021 (Dkt. No. 18). To date, the Plaintiffs have not filed objections to the R&R.¹

Following a careful review of the record, and finding no clear error, the Court **ADOPTS** the R&R in its entirety (Dkt. No. 9) and **DISMISSES** the case without prejudice.

It is so **ORDERED**.

The Court **DIRECTS** the Clerk to transmit a copy of this order to the pro se plaintiffs by certified mail, return receipt requested, and to counsel of record by electronic means, and to remove this case from the Court’s active docket.

Dated: November 15, 2021

/s/ Irene M. Keeley
IRENE M. KEELEY
UNITED STATES DISTRICT JUDGE

¹ The failure to object to the R&R waives the appellate rights and also relieves the Court of any obligation to conduct a de novo review of the issues presented. *See Thomas v. Arn*, 474 U.S. 140, 148-153 (1985); *Wells v. Shriners Hosp.*, 109 F.3d 198, 199-200 (4th Cir. 1997).