

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

CRIMINAL NO. 1:07CR53

(Judge Keeley)

DEANTE DRAKE,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

On August 3, 2007, United States Magistrate Judge John S. Kaul entered a Report and Recommendation ("R&R") (dkt no. 71) that recommended that this Court deny defendant's motion to suppress. The R&R specifically warned that failure to object to the Magistrate's recommendations would result in the waiver of any appellate rights on this issue. On August 14, 2007, the Court conducted a hearing and granted the defendant an extension until August 24, 2007 to file objections to the R&R. Despite this extension, however, the defendant failed to file any objections.¹ Consequently, the Court **ADOPTS** the R&R in its entirety and **DENIES** the motion (dkt. no. 52).

It is so **ORDERED**.

¹ Drake's failure to object to the Report and Recommendation not only waives his appellate rights in this matter, but also relieves the Court of any obligation to conduct a de novo review of the issue 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).

ORDER ADOPTING REPORT AND RECOMMENDATION

The Clerk is directed to transmit copies of this Order to counsel of record, the Probation Office and all appropriate agencies.

DATED: January 9, 2008.

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