

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Travis Scott McCall, Sr. v. Scotty Bodiford, GCDC

McCall v. Bodiford · No. 8:25-cv-13452-JDA · Decided January 5, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted the Magistrate Judge’s Report and Recommendation and dismissed without prejudice a pro se state prisoner’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court dismissed the action without requiring the respondent to file an answer or return and denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
JURISDICTION	United States District Court for the District of South Carolina, Anderson/Greenwood Division
DECIDED	January 5, 2026
DOCKET	8:25-cv-13452-JDA
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se state prisoner filed a petition for writ of habeas corpus under 28 U.S.C. § 2241. After the magistrate judge recommended dismissal without requiring an answer or return and the petitioner filed no objections, the district court reviewed the recommendation for clear error and adopted it.
STANDARD OF REVIEW	In the absence of timely objections to a magistrate judge's report and recommendation, the district court reviews the report for clear error on the face of the record rather than conducting de novo review.
PRECEDENTIAL VALUE	unpublished
PARTIES	Travis Scott McCall, Sr. v. Scotty Bodiford, GCDC

TOPICS

- federal habeas corpus
- post-conviction relief
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should review the magistrate judge's Report and Recommendation for clear error when the petitioner filed no objections.
2. Whether the petition should be dismissed without prejudice without requiring the respondent to file an answer or return.
3. Whether a certificate of appealability should issue.

HOLDINGS

1. When no timely objection is filed to a magistrate judge's Report and Recommendation, the district court need not conduct de novo review and instead reviews the recommendation for clear error on the face of the record.
2. The petition was dismissed without prejudice without requiring Respondent to file an answer or return.
3. A certificate of appealability should not issue because Petitioner did not meet the applicable standard requiring a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

“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”

“Accordingly, Petitioner’s action is DISMISSED without prejudice and without requiring Respondent to file an answer or return.”

FACTUAL BACKGROUND

Petitioner Travis Scott McCall, Sr., a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. The magistrate judge recommended dismissal without requiring Respondent Scotty Bodiford, GCDC, to file an answer or return. Petitioner did not object to the recommendation within the applicable time.

PROCEDURAL HISTORY

The petition was docketed on November 19, 2025. The matter was referred to Magistrate Judge William S. Brown, who issued a Report and Recommendation on December 5, 2025, recommending dismissal without requiring a response from Respondent. Petitioner filed no objections, and the district court accepted the recommendation, incorporated it by reference, and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)
- Diamond v. Colonial Life & Accident Ins., 416 F.3d 310, 315 (4th Cir. 2005)
- Slack v. McDaniel, 529 U.S. 473, 484-85 (2000)
- Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003)

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