

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH  
CAROLINA

Rex O. Groomes v. Dir. Harvey

Civil Action No. 0:25-12700-MGL · No. 0:25-12700-MGL · Decided December 1, 2025

SUMMARY

The United States District Court for the District of South Carolina adopted a magistrate judge’s report and recommendation and summarily dismissed Rex O. Groomes’s 28 U.S.C. § 2241 habeas petition without prejudice for failure to prosecute. The court denied a request for a certificate of appealability and notified Groomes of his right to appeal.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                            |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of South Carolina                                                                                                                                                                                            |
| WRITING FOR THE COURT | Mary Geiger Lewis                                                                                                                                                                                                                                          |
| JURISDICTION          | United States District Court for the District of South Carolina                                                                                                                                                                                            |
| DECIDED               | December 1, 2025                                                                                                                                                                                                                                           |
| DOCKET                | 0:25-12700-MGL                                                                                                                                                                                                                                             |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                  |
| PROCEDURAL POSTURE    | A pretrial detainee proceeding pro se petitioned for a writ of habeas corpus under 28 U.S.C. § 2241. The district court reviewed a magistrate judge's report and recommendation recommending summary dismissal without prejudice for failure to prosecute. |
| STANDARD OF REVIEW    | Because no timely objection was filed, the district court was required only to satisfy itself that there was no clear error on the face of the record before accepting the recommendation, rather than conducting de novo review.                          |
| PRECEDENTIAL VALUE    | Unpublished district court order                                                                                                                                                                                                                           |
| PARTIES               | Rex O. Groomes v. Dir. Harvey                                                                                                                                                                                                                              |

TOPICS

- federal habeas corpus
- appellate procedure
- standard of review
- civil procedure

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's report and recommendation when the petitioner filed no timely objections.
2. Whether the petition should be summarily dismissed without prejudice for failure to prosecute.
3. Whether a certificate of appealability should be issued.

## HOLDINGS

1. When no timely objection is filed, the district court need not conduct de novo review and may accept the recommendation after determining that no clear error appears on the face of the record.
2. The petition was properly summarily dismissed without prejudice for failure to prosecute.
3. Any request by Groomes for a certificate of appealability was denied.

## KEY QUOTATIONS

*“[I]n 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.’”*

## FACTUAL BACKGROUND

Rex O. Groomes, a pro se pretrial detainee, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 against Dir. Harvey. After the magistrate judge recommended summary dismissal without prejudice for failure to prosecute, Groomes did not file objections.

## PROCEDURAL HISTORY

The magistrate judge filed a report and recommendation on October 31, 2025. Groomes filed no objections, and the district court reviewed the record for clear error, adopted the report, and summarily dismissed the petition without prejudice; the court also denied any request for a certificate of appealability.

## DISPOSITION

dismissed

## CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270 (1976)
- Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005)
- Wright v. Collins, 766 F.2d 841, 845–46 (4th Cir. 1985)

## OPINION

Es ny Cori” IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA ROCK HILL DIVISION REX O. GROOMES, § Petitioner, § § vs. § Civil Action No. 0:25-12700-MGL § DIR. HARVEY, § Respondent. § ORDER ADOPTING THE REPORT AND RECOMMENDATION AND SUMMARILY DISMISSING PETITIONER’S PETITION WITHOUT PREJUDICE Petitioner Rex O. Groomes (Groomes), a pretrial detainee who is representing himself, filed this petition seeking a writ of habeas corpus under 28 U.S.C. § 2241 against Respondent Dir.

Harvey. This matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting the Court summarily dismiss the petition without prejudice for failure to prosecute.

The Report was made in accordance with 28 U.S.C. § 636 and Local Civil 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 the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report 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). The Magistrate Judge filed the Report on October 31, 2025. To date, Groomes has failed to file any objections. “[I]n 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.’” *Diamond v. Colonial Life & Accident Ins.*

*Co.*, 416 F.3d 310, 315 (4th Cir. 2005). Moreover, a failure to object waives appellate review. *Wright v. Collins*, 766 F.2d 841, 845–46 (4th Cir. 1985). After a thorough review of the Report and the record in this case under the standard set forth above, the Court adopts the Report and incorporates it herein.

Therefore, it is the judgment of the Court Groomes’s petition is summarily DISMISSED WITHOUT PREJUDICE. To the extent Groomes seeks a certificate of appealability, that request is DENIED. IT IS SO ORDERED. Signed this 1st day of December 2025, in Columbia, South Carolina. s/ Mary Geiger Lewis MARY GEIGER LEWIS UNITED STATES DISTRICT JUDGE \*\*\*\*\* NOTICE OF RIGHT TO APPEAL Groomes is hereby notified of his right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.

