

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA, COLUMBIA DIVISION

John Campbell v. Circle K Stores, Inc.

Campbell · No. 3:25-cv-12913-JDA-PJG · Decided April 14, 2026

SUMMARY

The United States District Court for the District of South Carolina reviews a magistrate judge’s Report and Recommendation concerning Circle K Stores, Inc.’s motion to dismiss. Finding no clear error and no objections from the parties, the court adopts the recommendation and denies the motion to dismiss.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Columbia Division
WRITING FOR THE COURT	Jacquelyn D. Austin
JURISDICTION	United States District Court for the District of South Carolina, Columbia Division
DECIDED	April 14, 2026
DOCKET	3:25-cv-12913-JDA-PJG
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending denial of Defendant's motion to dismiss. Neither party filed objections.
STANDARD OF REVIEW	In the absence of a timely objection, the district court reviews the magistrate judge's Report and Recommendation for clear error. Specific objections would require de novo review of the challenged portions.
PRECEDENTIAL VALUE	Unknown

TOPICS

- motions to dismiss
- civil procedure
- pleadings

PRACTICE AREAS

- civil procedure
- employment discrimination

QUESTIONS PRESENTED

1. Whether the district court should accept the magistrate judge's Report and Recommendation in the absence of objections.
2. Whether Defendant's motion to dismiss should be denied as recommended.

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 Report for clear error before accepting it.
2. Defendant's motion to dismiss is denied.

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” (at 315)

FACTUAL BACKGROUND

The opinion concerns Defendant's motion to dismiss in an employment-discrimination action. A magistrate judge recommended that the motion be denied. Neither party objected to the recommendation within the permitted period.

PROCEDURAL HISTORY

Defendant moved to dismiss. The matter was referred to Magistrate Judge Paige J. Gossett, who issued a March 27, 2026 Report and Recommendation recommending that the motion be denied. Because neither party objected, the district court reviewed the Report for clear error, accepted it, incorporated it by reference, and denied the motion to dismiss.

DISPOSITION

other

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)

OPINION

25IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION John Campbell,) Case No. 3:25-cv-12913-JDA-PJG) Plaintiff,)) v.) OPINION AND ORDER) Circle K Stores, Inc.,)) Defendant.)) This matter is before the Court on Defendant’s motion to dismiss. [Doc. 9.]

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), D.S.C., this matter was referred to United States Magistrate Judge Paige J. Gossett for pre-trial proceedings. On March 27, 2026, the Magistrate Judge issued a Report and Recommendation (“Report”) recommending that Defendant’s motion to dismiss be denied. [Doc. 14.]

The Magistrate Judge advised the parties of the procedures and requirements for filing objections to the Report and the serious consequences if they failed to do so. [Id. at 7.] Neither party has filed objections, and the time to do so has lapsed.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976).

The Court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b).

The Court will review the Report only for clear error in the absence of an objection. See *Diamond v. Colonial Life & Accident Ins.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “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” (internal quotation marks omitted)).

The Court has reviewed the record in this case, the applicable law, and the Report of the Magistrate Judge for clear error. Having done so, the Court accepts the Report and Recommendation of the Magistrate Judge and incorporates it by reference.

Accordingly, Defendant’s motion to dismiss [Doc. 9] is DENIED. IT IS SO ORDERED. s/ Jacquelyn D. Austin United States District Judge April 14, 2026 Columbia, South Carolina