

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
NORTH CAROLINA

Suggs v. Prince Court LLC, Letecia Cortez, and Jose Cortez

Suggs · No. 4:25-CV-112-FL-BM · Decided March 26, 2026

SUMMARY

The United States District Court for the Eastern District of North Carolina adopted a magistrate judge’s recommendation to dismiss Timothy E. Suggs’s pro se complaint under 28 U.S.C. § 1915(e)(2) (B). The court dismissed the federal claims with prejudice, dismissed the state-law claims without prejudice, terminated the motion for summary judgment as moot, and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of North Carolina
JURISDICTION	United States District Court for the Eastern District of North Carolina
DECIDED	March 26, 2026
DOCKET	4:25-CV-112-FL-BM
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a pro se complaint under 28 U.S.C. § 1915(e) after a magistrate judge recommended dismissal. No timely objections to the memorandum and recommendation were filed.
STANDARD OF REVIEW	When no timely objections are filed to a magistrate judge's memorandum and recommendation, the district court reviews the magistrate judge's findings and conclusions for clear error and need not provide an explanation for adopting the recommendation.
PRECEDENTIAL VALUE	unpublished

TOPICS

- civil procedure
- standard of review
- appellate procedure
- summary judgment

PRACTICE AREAS

- civil rights
- civil procedure
- federal courts

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's memorandum and recommendation when no timely objections were filed.
2. Whether plaintiff's federal claims should be dismissed with prejudice and his state-law claims dismissed without prejudice under 28 U.S.C. § 1915(e)(2)(B).
3. Whether plaintiff's motion for summary judgment should be terminated as moot following dismissal of the complaint.

HOLDINGS

1. When no timely objections are filed, the district court reviews the magistrate judge's findings and conclusions for clear error and may adopt the recommendation without providing a separate explanation.
2. The magistrate judge's recommendation was adopted, plaintiff's federal claims were dismissed with prejudice, and plaintiff's state-law claims were dismissed without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B).
3. Plaintiff's motion for summary judgment was terminated as moot after dismissal of the complaint.

KEY QUOTATIONS

“Because no objections have been filed, the court reviews the magistrate judge’s findings and conclusions only for clear error, and need not give any explanation for adopting the M&R.” (slip op.)

“Plaintiff’s federal claims are DISMISSED WITH PREJUDICE, and plaintiffs state law claims are DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B).” (slip op.)

FACTUAL BACKGROUND

Plaintiff Timothy E. Suggs filed a pro se complaint asserting federal and state-law claims against Prince Court LLC, Letecia Cortez, and Jose Cortez. The district court reviewed the complaint under the prisoner or indigent litigant screening provision, 28 U.S.C. § 1915(e), and considered plaintiff's motion for summary judgment. The magistrate judge recommended dismissal of the federal claims with prejudice and the state-law claims without prejudice.

PROCEDURAL HISTORY

Plaintiff filed a pro se complaint and a motion for summary judgment. United States Magistrate Judge Brian S. Meyers issued a memorandum and recommendation recommending dismissal of the federal claims with prejudice and the state-law claims without prejudice. Plaintiff filed a notice of appeal but did not timely object to the recommendation. The district court adopted the recommendation, dismissed the claims as recommended, terminated the summary-judgment motion as moot, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- *Diamond v. Colonial Life & Accident Insurance Co.*, 416 F.3d 310, 315 (4th Cir. 2005)
- *Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION NO. 4:25-CV-112-FL-BM TIMOTHY E. SUGGS,)) Plaintiff,)) v.)) ORDER PRINCE COURT LLC, LETECIA) CORTEZ, and JOSE CORTEZ)) Defendants.) This matter is before the court for review of plaintiff's pro se complaint (DE 7) pursuant to 28 U.S.C. § 1915(e). United States Magistrate Judge Brian S. Meyers entered memorandum and recommendation ("M&R"), pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), wherein it is recommended plaintiff's complaint be dismissed.

(DE 9). Plaintiff did not file objections to the M&R, and the time within which to make any objection has expired.¹ In this posture, the issues raised are ripe for ruling. Upon a careful review of the M&R, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1).

Because no objections have been filed, the court reviews the magistrate judge's findings and conclusions only for clear error, and need not give any explanation for adopting the M&R. *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005); *Camby v. Davis*, 718 F.2d 198, 200 (4th Cir. 1983). 1 On March 19, 2026, Plaintiff filed a notice of appeal to the United States Court of Appeals for the Fourth Circuit.

(DE 10). Even if the court broadly construed this filing as objections to the M&R, same were not filed within the 14-day deadline noted in the M&R. The magistrate judge recommends dismissal of plaintiffs federal law claims with prejudice and dismissal of plaintiffs state law claims without prejudice. Upon careful review of the M&R, the court finds the magistrate judge's analysis to be thorough, and there is no clear error.

The court hereby ADOPTS the recommendation of the magistrate judge as its own. Plaintiff's federal claims are DISMISSED WITH PREJUDICE, and plaintiffs state law claims are DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B). Plaintiff's motion for summary judgment (DE 5) is TERMINATED AS MOOT.

The clerk of court is DIRECTED to close the case. SO ORDERED, this the 26th day of March, 2026. Cte United States District Judge