

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA, SPARTANBURG DIVISION**

**Akimsey Cherunn Crawford v. Chase E. Furnas, George A. Johnson,
and George D. Johnson**

Crawford · No. 7:25-cv-12721-DCC · Decided May 1, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted the magistrate judge's recommendation and dismissed the plaintiff's action with prejudice, without leave to amend, and without issuance and service of process. The dismissal was based on failure to state a plausible claim, with an alternative dismissal without prejudice for failure to comply with court orders under Federal Rule of Civil Procedure 41(b).

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION Akimsey Cherunn Crawford,) Case No. 7:25-cv-12721-DCC)
Plaintiff,)) v.) ORDER) Chase E. Furnas, George A. Johnson,) George D. Johnson,))
Defendants.) _____) This matter is before the Court upon
Plaintiff's complaint. ECF No. 1.

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 Kevin F. McDonald for pre-trial proceedings and a Report and Recommendation ("Report").

On March 9, 2026, the Magistrate Judge issued a Report recommending that this action be dismissed with prejudice, without leave to amend, and without issuance and service of process. ECF No. 27. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences for failing to do so. Plaintiff has not filed objections to the Report 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. See *Mathews v. Weber*, 423 U.S. 261 (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. Co.*, 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.” (citation omitted)).

After considering the record in this case, the applicable law, and the Report of the Magistrate Judge, the Court finds no clear error and agrees with the Report’s recommendation. This action is DISMISSED with prejudice, without leave to amend, and without issuance and service of process for failure to state a plausible claim upon which relief can be granted.¹ IT IS SO ORDERED. s/ Donald C. Coggins, Jr. United States District Judge May 1, 2026 Spartanburg, South Carolina 1 Alternatively, this action is dismissed without prejudice for failure to comply with court orders pursuant to Federal Rule of Civil Procedure 41(b).