

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).

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Spartanburg Division
WRITING FOR THE COURT	Donald C. Coggins, Jr.
JURISDICTION	United States District Court for the District of South Carolina, Spartanburg Division
DECIDED	May 1, 2026
DOCKET	7:25-cv-12721-DCC
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal of Plaintiff's complaint with prejudice, without leave to amend, and without issuance and service of process. Plaintiff filed no objections.
STANDARD OF REVIEW	In the absence of specific 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. Specific objections would trigger de novo review of the challenged portions.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order

PARTIES

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

TOPICS

motions to dismiss

pleadings

civil procedure

section 1983

PRACTICE AREAS

civil procedure

civil rights

QUESTIONS PRESENTED

1. What standard of review applies when no party objects to a magistrate judge's Report and Recommendation?
2. Whether the complaint should be dismissed with prejudice, without leave to amend, and without issuance and service of process for failure to state a plausible claim.
3. Whether the action should alternatively be dismissed without prejudice for failure to comply with court orders under Federal Rule of Civil Procedure 41(b).

HOLDINGS

1. When no timely objection is filed, the district court need only review the Report and the record for clear error before accepting the recommendation; de novo review is not required.
2. The 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.
3. Alternatively, the action is dismissed without prejudice for failure to comply with court orders pursuant to Federal Rule of Civil Procedure 41(b).

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." (Order at 1)

FACTUAL BACKGROUND

The opinion provides no substantive facts underlying Plaintiff's claims. The material procedural facts are that Plaintiff filed a complaint, the magistrate judge recommended dismissal for failure to state a plausible claim, and Plaintiff did not file objections after being advised of the applicable procedures and consequences.

PROCEDURAL HISTORY

Plaintiff filed a complaint. The matter was referred to Magistrate Judge Kevin F. McDonald for pretrial proceedings, and the magistrate judge issued a Report and Recommendation on March 9, 2026, recommending dismissal with prejudice for failure to state a plausible claim. Plaintiff did not object within the prescribed

period. The district court reviewed the Report for clear error, adopted its recommendation, and dismissed the action with prejudice, without leave to amend and without issuance and service of process.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261 (1976)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)

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