

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Jayun Elenai Harrison v. Kerwin Ruiz

Harrison · No. 25-cv-4880-SAL-SVH · Decided April 29, 2026

SUMMARY

The United States District Court for the District of South Carolina adopts a magistrate judge’s Report and Recommendation and dismisses Jayun Elenai Harrison’s 42 U.S.C. § 1983 action for failure to prosecute. The dismissal follows Plaintiff’s failure to respond to Defendant’s summary judgment motion or otherwise participate after receiving notice and an opportunity to object.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	April 29, 2026
DOCKET	25-cv-4880-SAL-SVH
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a pro se action under 42 U.S.C. § 1983. After Defendant moved for summary judgment and Plaintiff failed to respond or otherwise communicate with the court, the magistrate judge recommended dismissal for failure to prosecute. The district court reviewed the Report and Recommendation, found no clear error, adopted it, and dismissed the action under Federal Rule of Civil Procedure 41(b).
STANDARD OF REVIEW	In the absence of specific objections to a magistrate judge's Report and Recommendation, the district court reviews the record for clear error before accepting the recommendation. De novo review is required only for portions to which specific objections are made.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Jayun Elenai Harrison v. Kerwin Ruiz

TOPICS

- civil procedure
- summary judgment
- section 1983
- prisoners rights

PRACTICE AREAS

civil procedure

civil rights

prisoner civil rights

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when Plaintiff filed no objections.
2. Whether the action should be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41(b) after Plaintiff failed to respond to Defendant's summary-judgment motion and failed to comply with the court's directive to advise whether he wished to proceed.

HOLDINGS

1. When no specific objections are filed, the district court need only determine whether the Report and Recommendation contains clear error on the face of the record before adopting it.
2. A civil action may be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41(b) when the plaintiff fails to respond to a dispositive motion and fails to comply with a court order directing the plaintiff to indicate whether he wishes to proceed.

KEY QUOTATIONS

"Finding no clear error in the Report, ECF No. 42, it is adopted and incorporated."

"For the reasons discussed in the Report, this case is dismissed for failure to prosecute under Fed. R. Civ. P. 41(b)."

FACTUAL BACKGROUND

Plaintiff alleged that officials made false statements while he was housed at Alvin S. Glenn Detention Center. After Defendant moved for summary judgment, Plaintiff failed to file an opposition or any other filing despite receiving an explanation of the summary-judgment process and a warning that the action could be dismissed for failure to prosecute.

PROCEDURAL HISTORY

Plaintiff filed suit in June 2025 concerning alleged false statements by officials while he was housed at Alvin S. Glenn Detention Center. The magistrate judge authorized service and entered a scheduling order. Defendant moved for summary judgment on February 5, 2026; Plaintiff did not respond despite a Roseboro order and a later warning that the action could be dismissed for failure to prosecute. The magistrate judge recommended dismissal, Plaintiff filed no objections, and the district court adopted the recommendation and dismissed the case.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)

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