

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Harold Mitchell, by his Guardian Mary Louise Brown v. Charleston
County, Charleston County Sheriff's Office, Kristen Graziano,
Wellpath, LLC, Donald Rhodes, M.D., and John Does (1-8)

Mitchell v. Charleston County · No. 4:24-cv-6843-RMG · Decided January 28, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted a magistrate judge’s Report and Recommendation and denied Wellpath LLC’s motion to dismiss. The court concluded that although the plaintiff’s direct claims against Wellpath had been discharged in bankruptcy, Wellpath remained a necessary nominal defendant for potential recovery from its insurer or a liquidating trust.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Richard Mark Gergel
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	January 28, 2026
DOCKET	4:24-cv-6843-RMG
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending denial of Wellpath LLC's motion to dismiss. No party filed objections.
STANDARD OF REVIEW	In the absence of specific objections to the Report and Recommendation, the district court reviews the recommendation for clear error on the face of the record. De novo review applies only to portions to which specific objections are made.
PRECEDENTIAL VALUE	unknown
PARTIES	Harold Mitchell, by his Guardian Mary Louise Brown v. Charleston County, Charleston County Sheriff's Office, Kristen Graziano, Wellpath, LLC, Donald Rhodes, M.D., John Does (1-8)

TOPICS

motions to dismiss

discharge

bankruptcy

civil rights

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the district court should review the magistrate judge's Report and Recommendation for clear error when no party filed objections.
2. Whether Wellpath LLC's motion to dismiss should be denied because Wellpath remained a necessary nominal defendant for claims potentially collectible from its insurer or a liquidating trust despite the bankruptcy discharge.

HOLDINGS

1. When no specific objections are filed to a magistrate judge's Report and Recommendation, the district court reviews the recommendation for clear error rather than conducting de novo review.
2. Wellpath LLC's motion to dismiss was properly denied because Wellpath remained a necessary nominal defendant for claims that might be collectible against its insurer or the liquidating trust created under the bankruptcy discharge plan.

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 1)

FACTUAL BACKGROUND

Harold Mitchell, a detainee at the Charleston County Detention Center, sued various defendants for alleged deliberate indifference to his medical needs and alleged negligence by Wellpath LLC. Wellpath filed a suggestion of bankruptcy, asserting that the action was stayed. The bankruptcy discharge plan discharged claims asserted directly against Wellpath, but Wellpath remained a necessary nominal defendant for claims potentially collectible against its insurer or a liquidating trust.

PROCEDURAL HISTORY

Plaintiff filed suit on November 22, 2024, alleging deliberate indifference to medical needs and negligence arising from his detention. Wellpath filed a suggestion of bankruptcy, and the magistrate judge recommended denying Wellpath's motion to dismiss because Wellpath remained a necessary nominal defendant for claims potentially collectible from its insurer or a liquidating trust. With no objections filed, the district court conducted clear-error review, adopted the Report and Recommendation, 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. Co., 416 F.3d 310, 315 (4th Cir. 2005)

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