

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA**

**Jaquell Antonio McCullum v. Nurse Eric McDaniel and Nurse
Practitioner Jordan Sauls**

McCullum · No. 1:25-cv-6116-JFA-SVH · Decided December 1, 2025

SUMMARY

The United States District Court for the District of South Carolina adopted the Magistrate Judge's Report and Recommendation and dismissed Plaintiff Jaquell Antonio McCullum's civil action without prejudice. The dismissal was based on Plaintiff's failure to maintain a current address, respond to court orders, or prosecute the case under Federal Rule of Civil Procedure 41.

OPINION

McCullum

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH CAROLINA

Jaquell Antonio McCullum, C/A No. 1:25-cv-6116-JFA-SVH Plaintiff, v.

ORDER

Nurse Eric McDaniel and Nurse Practitioner Jordan Sauls, Defendants. Plaintiff Jaquell Antonio McCullum, proceeding pro se, filed this civil action against Defendants. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for initial review. After several court orders were returned as undeliverable to Plaintiff, the Magistrate Judge issued the following Order: On September 5, 2025, out of an abundance of caution, the undersigned directed the Clerk of Court to mail the scheduling order to Plaintiff's address of record and an address listed on Defendants' certificate of service. [ECF No. 25]. The order also noted it is Plaintiff's responsibility to keep the court apprised of his address. Since then, mail sent to Plaintiff's address of record has been returned and Plaintiff has failed to apprise the court of a new address. [ECF Nos. 28, 29]. As such, it appears to the court that Plaintiff no longer wishes to pursue this case. Plaintiff is directed to advise the court of an updated address of October 13, 2025. Failure to respond will result in a recommendation that this matter be dismissed for failure to prosecute. (ECF No. 30). Despite this specific warning, Plaintiff failed to respond. Thereafter, the Magistrate Judge prepared a thorough Report and Recommendation¹ ("Report"). (ECF No. 33). Within the Report, the Magistrate Judge opines that this matter should be summarily dismissed for Plaintiff's failure to prosecute pursuant to Federal Rule of Civil Procedure

41. Id. The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation. Plaintiff was advised of his right to object to the Report, which was entered on the docket on October 22, 2025. Id. The Magistrate Judge required Plaintiff to file objections by November 5, 2025. Id. Plaintiff failed to file objections. Thus, this matter is ripe for review. A district court is only required to conduct a de novo review of the specific portions of the Magistrate Judge's Report to which an objection is made. See 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. See *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Here, Plaintiff has failed to raise any objections and therefore this Court is not required to give an explanation for adopting the recommendation. A review of the Report and prior orders indicates that the Magistrate Judge correctly concluded that Plaintiff's 1 The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.). 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. *Mathews v. Weber*, 423 U.S. 261 (1976). Complaint is subject to dismissal pursuant to Rule 41. After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein by reference. (ECF No. 33). Consequently, this action is dismissed without prejudice for failure to prosecute. IT IS SO ORDERED. Cader tons December 1, 2025 Joseph F. Anderson, Jr. Columbia, South Carolina United States District Judge