

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Patrick L. Booker v. Officer A. DeLaura, Officer M. Madden,
Greenwood Police Department

Booker · No. 8:24-cv-04592-DCC · Decided May 19, 2026

SUMMARY

The United States District Court for the District of South Carolina reviews a magistrate judge’s Report and Recommendation concerning Defendants’ motion to enforce a settlement agreement. Finding no clear error in the absence of objections, the Court grants the motion and dismisses the action with prejudice.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Donald C. Coggins, Jr.
JURISDICTION	United States District Court for the District of South Carolina, Anderson/Greenwood Division
DECIDED	May 19, 2026
DOCKET	8:24-cv-04592-DCC
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation concerning Defendants' motion to enforce a settlement agreement or, alternatively, for involuntary dismissal. Plaintiff filed no objections, and the district court reviewed the Report for clear error.
STANDARD OF REVIEW	In the absence of a timely objection to a magistrate judge's Report and Recommendation, the district court reviews the record for clear error rather than conducting de novo review.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation or stated precedential designation

TOPICS

- motions to dismiss
- civil procedure
- contracts
- remedies

PRACTICE AREAS

civil procedure

settlement enforcement

federal magistrate judge practice

QUESTIONS PRESENTED

1. Whether the district court should review the magistrate judge's Report and Recommendation for clear error because Plaintiff filed no timely objections.
2. Whether Defendants' motion to enforce the settlement agreement or obtain involuntary dismissal should be granted.
3. Whether the action should be dismissed with prejudice.

HOLDINGS

1. When no timely objection is filed to a magistrate judge's Report and Recommendation, the district court need not conduct de novo review and instead reviews the record for clear error before accepting the recommendation.
2. Defendants' motion to enforce judgment was granted, and the action was dismissed with prejudice.

KEY QUOTATIONS

"The Court will review the Report only for clear error in the absence of an objection."

"Defendant's motion to enforce judgment [46] is GRANTED. This action is dismissed with prejudice."

FACTUAL BACKGROUND

The underlying action involved Plaintiff Patrick L. Booker and Defendants Officer A. DeLaura, Officer M. Madden, and the Greenwood Police Department. Defendants sought enforcement of a settlement agreement or involuntary dismissal. The magistrate judge recommended granting the motion, and Plaintiff did not file objections.

PROCEDURAL HISTORY

Defendants filed a motion on February 5, 2026, which was docketed as a motion to enforce judgment. Magistrate Judge Mary Gordon Baker issued a Report and Recommendation on March 19, 2026, recommending that the motion be granted. Plaintiff did not object within the applicable period. The district court found no clear error, adopted the recommendation, granted the motion, and dismissed the action with prejudice.

DISPOSITION

dismissed

CASES CITED

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

OPINION

Patrick L. Booker v. Officer A. DeLaura, Officer M. Madden, Greenwood Police Department
PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Patrick L. Booker,) Case No. 8:24-cv-04592-DCC) Plaintiff,)) v.) ORDER) Officer A.
DeLaura, Officer M. Madden,) Greenwood Police Department,)) Defendants.)

_____) This matter is before the Court for review of Defendants' motion to enforce settlement. ECF No. 46. 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 Mary Gordon Baker for pre-trial proceedings and a Report and Recommendation ("Report"). On February 5, 2026, Defendants filed a motion titled "Defendants' Motions for Involuntary Dismissal or to Enforce Settlement Agreement," which was docketed as a motion to enforce judgment. ECF No. 46. On March 19, 2026, the Magistrate Judge issued a Report recommending that the motion be granted. ECF No. 52. 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. Defendant's motion to enforce judgment [46] is GRANTED. This action is dismissed with prejudice. IT IS SO ORDERED. s/ Donald C. Coggins, Jr. United States District Judge May 19, 2026 Spartanburg, South Carolina