

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA, ROCK HILL DIVISION

Christopher Lane v. (Unknown) Hines Ofc., (Unknown) Bracey

Lane · No. 0:25-cv-11724-JDA · Decided December 4, 2025

SUMMARY

The United States District Court for the District of South Carolina adopted the magistrate judge’s recommendation and summarily dismissed Christopher Lane’s pro se complaint without prejudice. The dismissal followed Plaintiff’s failure to amend his complaint as ordered and failure to file objections to the Report and Recommendation.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Rock Hill Division
WRITING FOR THE COURT	Jacquelyn D. Austin
JURISDICTION	United States District Court for the District of South Carolina, Rock Hill Division
DECIDED	December 4, 2025
DOCKET	0:25-cv-11724-JDA
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending summary dismissal without prejudice after the pro se plaintiff failed to amend his complaint as ordered and failed to file objections.
STANDARD OF REVIEW	Clear-error review of the magistrate judge's Report and Recommendation because no timely objection was filed; specific objections would have triggered de novo review under 28 U.S.C. § 636(b).
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- pleadings
- civil procedure
- civil rights
- prisoners rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should accept the magistrate judge's Report and Recommendation when Plaintiff filed no objections.
2. Whether the action should be summarily dismissed without prejudice after Plaintiff failed to comply with the court's order requiring an amended complaint.

HOLDINGS

1. When no timely objection is filed, the district court reviews the magistrate judge's Report and Recommendation for clear error rather than conducting de novo review.
2. The action may be summarily dismissed without prejudice when the plaintiff fails to comply with an order requiring an amended complaint after receiving notice that noncompliance could result in dismissal.

KEY QUOTATIONS

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

"Accordingly, this action is summarily DISMISSED without prejudice."

FACTUAL BACKGROUND

Plaintiff filed a pro se complaint against the named defendants. The magistrate judge identified deficiencies in the complaint and gave Plaintiff 21 days, plus three days for mail time, to file an amended complaint. Plaintiff did not respond to the amendment order and did not object to the subsequent Report and Recommendation recommending dismissal.

PROCEDURAL HISTORY

Plaintiff filed a pro se complaint on August 29, 2025. The magistrate judge identified deficiencies, ordered Plaintiff to file an amended complaint within the prescribed period, and warned that failure to comply could result in dismissal under Federal Rule of Civil Procedure 41. Plaintiff did not amend the complaint or object to the magistrate judge's Report and Recommendation recommending summary dismissal without prejudice. The district court reviewed the Report for clear error, accepted it, incorporated it by reference, and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)

- *Diamond v. Colonial Life & Accident Ins.*, 416 F.3d 310, 315 (4th Cir. 2005)

OPINION

Lane

PER CURIAM.

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF SOUTH CAROLINA

ROCK HILL DIVISION

Christopher Lane,) Case No. 0:25-cv-11724-JDA) Plaintiff,))

v.) OPINION AND ORDER

) (Unknown) Hines Ofc, (Unknown)) Bracey,)) Defendants.) This matter is before the Court on Plaintiff's Complaint and a Report and Recommendation ("Report") of the Magistrate Judge. [Docs. 1; 14.] 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 Paige J. Gossett for pre-trial proceedings. Plaintiff's pro se Complaint was entered on the docket on August 29, 2025. [Doc. 1.] On October 8, 2025, the Magistrate Judge issued an Order Regarding Amendment of Complaint in which she identified certain deficiencies in the Complaint and granted Plaintiff 21 days (plus three days for mail time) to file an amended complaint that corrected the deficiencies. [Doc. 10.] The Order warned that Plaintiff's failure to comply with the Order within the time allowed would subject his case to dismissal for failure to prosecute and for failure to comply with an Order of the Court under Rule 41 of the Federal Rules of Civil Procedure. [Id.] Plaintiff, however, did not respond to the Court's Order. Accordingly, on November 6, 2025, the Magistrate Judge issued a Report recommending that Plaintiff's Complaint be summarily dismissed without prejudice. [Doc. 14.] The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. [Id. at 3.] Plaintiff has filed no objections 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, 270–71

(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.*, 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" (internal quotation marks omitted)). The Court has reviewed the record in this case, the applicable

law, and the Report of the Magistrate Judge for clear error. Having done so, the Court accepts the Report and Recommendation of the Magistrate Judge and incorporates it by reference. Accordingly, this action is summarily DISMISSED without prejudice. IT IS SO ORDERED. s/ Jacquelyn D. Austin United States District Judge December 4, 2025 Columbia, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.