

**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

OPINION

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.