

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

Jamarion Bell v. Major Holmes; Sgt. C. Boswell; Lt. Thomas Horton;
Ofc. Cannon; Capt. R. Cooper; John Meyers; Brandon DeBaun;
Mary Bramucci; Harry J. Johnson, II; Capt. Carnes; Sgt. S.
Robinson; Capt. Karl Von Mutius; A.W.W. Brightharp; Sgt. C.
Brunson

Bell v. Holmes · No. 0:24-cv-07299-JDA · Decided December 16, 2025

SUMMARY

The United States District Court for the District of South Carolina rejected a magistrate judge’s recommendation to grant defendants’ motion to dismiss or for summary judgment in Jamarion Bell’s § 1983 action. The court found conflicting evidence concerning when Bell submitted his Step 2 grievance and recommitted the matter to the magistrate judge for further proceedings on administrative exhaustion. The court directed that, if defendants failed to establish nonexhaustion, the magistrate judge should address Bell’s pending motions and conduct additional pretrial proceedings.

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 16, 2025
DOCKET	0:24-cv-07299-JDA
DISPOSITION	remanded
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 action alleging excessive force and deliberate indifference to medical needs. Defendants moved to dismiss or, alternatively, for summary judgment based on failure to exhaust administrative remedies under the Prison Litigation Reform Act. After the Magistrate Judge recommended granting Defendants' motion, Plaintiff objected. The District Court conducted de novo

	review, rejected the Report and Recommendation, and recommitted the matter for further proceedings concerning exhaustion.
STANDARD OF REVIEW	The District Court conducts de novo review of portions of the Magistrate Judge's Report and Recommendation to which a specific objection is made, and reviews unobjected portions for clear error. The Magistrate Judge's recommendation has no presumptive weight, and the District Court may accept, reject, modify, or recommit it.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Jamarion Bell v. Major Holmes, Sgt. C. Boswell, Lt. Thomas Horton, Ofc. Cannon, Capt. R. Cooper, John Meyers, Brandon DeBaun, Mary Bramucci, Harry J. Johnson, II, Capt. Carnes, Sgt. S. Robinson, Capt. Karl Von Mutius, A.W.W. Brightharp, Sgt. C. Brunson

TOPICS

prisoners rights

section 1983

summary judgment

affirmative defenses

civil procedure

PRACTICE AREAS

prisoner civil rights

civil procedure

administrative exhaustion

pretrial procedure

QUESTIONS PRESENTED

1. Whether the Magistrate Judge properly recommended granting Defendants' motion to dismiss or for summary judgment based on Plaintiff's alleged failure to exhaust administrative remedies under the PLRA.
2. Whether the existing record conclusively established that Plaintiff untimely submitted his Step 2 grievance when the grievance was signed on November 27, 2024, but marked received on December 12, 2024.

HOLDINGS

1. The record did not conclusively establish that Plaintiff failed to timely submit his Step 2 grievance because the evidence conflicted concerning when he placed it in the designated institutional grievance box. The Court therefore rejected the Report and Recommendation and recommitted the matter to the Magistrate Judge for further proceedings on administrative exhaustion.

KEY QUOTATIONS

“Based on the existing facts and the conflicting representations of the parties, the Court cannot conclusively determine that Plaintiff failed to timely submit his Step 2 grievance.” (Analysis)

“The Court has conducted a de novo review of the Report, the record, and the applicable law. On such review, the Court rejects the Report [Doc. 70] and recommitts the matter to the Magistrate Judge for further proceedings on the issue of administrative exhaustion.” (Analysis)

FACTUAL BACKGROUND

Plaintiff, a South Carolina prison inmate, alleged that on or about October 10, 2024, a prison food supervisor used chemical munitions against him and that responding staff used excessive force and caused injuries. He asserted claims under 42 U.S.C. § 1983 for excessive force and deliberate indifference to medical needs. Defendants contended that Plaintiff failed to exhaust administrative remedies because his Step 2 grievance was received on December 12, 2024, after the applicable deadline, while Plaintiff maintained that he signed and submitted it on November 27, 2024.

PROCEDURAL HISTORY

The complaint was docketed on December 16, 2024. Defendants moved to dismiss or for summary judgment, arguing that Plaintiff failed to timely complete the South Carolina Department of Corrections grievance process. The Magistrate Judge recommended granting the motion because the Step 2 grievance was received after the applicable deadline. Plaintiff objected, asserting that he submitted the grievance on the date he signed it. The District Court found a factual conflict concerning when the grievance was placed in the designated grievance box, rejected the recommendation, and recommitted the matter to the Magistrate Judge.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The matter was recommitted to the Magistrate Judge for further proceedings on the issue of administrative exhaustion. If the Magistrate Judge determines that Defendants failed to demonstrate Plaintiff's failure to exhaust, the Magistrate Judge must address Plaintiff's pending motions for temporary restraining orders and motions to compel and conduct additional pretrial proceedings.

CASES CITED

- Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975)
- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)
- Diamond v. Colonial Life & Accident Ins., 416 F.3d 310, 315 (4th Cir. 2005)
- Curtis v. Davis, 851 F.3d 358, 361 (4th Cir. 2017)
- Johannes v. Washington, No. 14-11691, 2016 WL 1253266, at *10 (E.D. Mich. Mar. 31, 2016)
- Person v. Davis, No. 7:20-cv-00146, 2021 WL 4429194, at *5 n.4 (W.D. Va. Sept. 27, 2021)
- Bailey v. Washington, 784 F. Supp. 3d 997, 1013-14 (E.D. Mich. 2025)
- Houston v. Lack, 487 U.S. 266, 270-72 (1988)

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