

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

**Jason McDaniels v. South Carolina State Conference of the NAACP,
Unknown Event Attendants, and Security Personnel (Does 1–10)**

McDaniels · No. 3:25-cv-14000-SAL-SVH · Decided May 28, 2026

SUMMARY

The United States District Court for the District of South Carolina adopts the magistrate judge’s Report and Recommendation concerning Plaintiff’s motions to proceed in forma pauperis. The court denies those motions, grants Plaintiff fourteen days to pay the \$405 filing fee, and directs that the case be dismissed without prejudice under 28 U.S.C. § 1915(g) if the fee is not timely paid.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Sherri A. Lydon
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	May 28, 2026
DOCKET	3:25-cv-14000-SAL-SVH
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation addressing Plaintiff's motions to proceed in forma pauperis. No objections were filed.
STANDARD OF REVIEW	In the absence of objections to the magistrate judge's Report and Recommendation, the district court reviews the record for clear error. Specific objections would require de novo review of the challenged portions under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	Unknown; district court order

TOPICS

civil procedure

PRACTICE AREAS

civil procedure

civil rights

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when Plaintiff filed no objections and the record showed no clear error.
2. Whether Plaintiff's motions to proceed in forma pauperis should be denied and Plaintiff required to pay the \$405 filing fee within fourteen days.

HOLDINGS

1. When no objections are filed, the district court may accept a magistrate judge's recommendation after satisfying itself that there is no clear error on the face of the record.
2. Plaintiff's motions to proceed in forma pauperis are denied, and Plaintiff must pay the \$405 filing fee within fourteen days of the order.
3. If Plaintiff fails to timely pay the filing fee, the Clerk must dismiss the matter without prejudice after the fourteen-day period, pursuant to 28 U.S.C. § 1915(g).

KEY QUOTATIONS

“only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”

FACTUAL BACKGROUND

Plaintiff filed motions seeking leave to proceed in forma pauperis. The magistrate judge recommended denying those motions and requiring payment of the filing fee. Plaintiff did not object to the recommendation, and the district court found no clear error in the Report.

PROCEDURAL HISTORY

Magistrate Judge Shiva V. Hodges recommended denying Plaintiff's motion to proceed in forma pauperis and allowing fourteen days to pay the filing fee. Plaintiff was notified of the right to object but filed no objections. The district court reviewed the Report, found no clear error, adopted it, denied the in forma pauperis motions, and gave Plaintiff fourteen days to pay the \$405 filing fee, subject to dismissal without prejudice if the fee was not timely paid.

DISPOSITION

other

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270–71 (1976)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)

OPINION

IN THE UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA Jason McDaniels, Case No. 3:25-cv-14000-SAL-SVH Plaintiff, v. ORDER South Carolina State Conference of the NAACP, Unknown Event Attendants, Security Personnel (Does 1–10), Defendants. This matter is before the court for review of the April 23, 2026 Report and Recommendation of United States Magistrate Judge Shiva V. Hodges (the “Report”).

[ECF No. 22.] In the Report, the magistrate judge recommends that the court deny Plaintiff’s motion to proceed in forma pauperis and provide Plaintiff fourteen days to pay the filing fee. *Id.* at 2–5. Although he was advised of his right to file objections to the Report, Plaintiff has not done so, and the time for doing so has expired.

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 this court. See *Mathews v. Weber*, 423 U.S. 261, 270–71 (1976).

The court is charged with making a de novo determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1).

In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error, adopts the Report, ECF No. 22, and incorporates the Report by reference herein.

As a result, Plaintiff’s motions to proceed in forma pauperis, ECF Nos. 3, 15, is DENIED. Plaintiff is granted fourteen days from the date of this order to pay the filing fee of \$405, and the Clerk of Court is to withhold entry of judgment until such time for payment expires. If Plaintiff timely pays the filing fee, this matter remains referred to the magistrate judge for further review.

If Plaintiff fails to timely pay the filing fee (taking into account the time permitted for mailing), the Clerk is directed to dismiss the matter without prejudice pursuant to 28 U.S.C. § 1915(g) at the close of the 14-day period. IT IS SO ORDERED. Sherr t. May 28, 2026 Sherri A. Lydon 4 □□□
Columbia, South Carolina United States District Judge