

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA, AIKEN DIVISION

Patrick Taevon Williams v. Warden of Lee Correctional Institution
and Alan Wilson

Williams v. Warden of Lee Correctional Institution · No. 1:25-14008-CMC · Decided March 17, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted a magistrate judge’s recommendation and dismissed Patrick Taevon Williams’s 28 U.S.C. § 2254 petition without prejudice for failure to exhaust state court remedies. The court denied Petitioner’s requests for a Rhines stay, emergency release on bond, and related relief, concluding that the petition was not a mixed petition. The court also denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Aiken Division
WRITING FOR THE COURT	Cameron McGowan Currie
JURISDICTION	United States District Court for the District of South Carolina, Aiken Division
DECIDED	March 17, 2026
DOCKET	1:25-14008-CMC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254. After a magistrate judge recommended summary dismissal without prejudice for failure to exhaust state remedies, Petitioner filed timely objections and moved for a stay and abeyance and emergency release on bond.
STANDARD OF REVIEW	De novo review of portions of the magistrate judge's report to which specific objections were made; clear-error review of portions not specifically objected to.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation.
PARTIES	Patrick Taevon Williams v. Warden of Lee Correctional Institution, Alan Wilson

TOPICS

federal habeas corpus

state post-conviction relief

post-conviction relief

civil procedure

PRACTICE AREAS

federal habeas corpus

state post-conviction relief

civil procedure

constitutional law

QUESTIONS PRESENTED

1. Whether the § 2254 petition should be dismissed without prejudice because Petitioner had failed to exhaust state court remedies.
2. Whether Petitioner was entitled to a stay and abeyance under *Rhines v. Weber* despite having no exhausted claims.
3. Whether Petitioner was entitled to emergency release on bond.
4. Whether a certificate of appealability should issue.

HOLDINGS

1. A § 2254 petition containing no exhausted claims must be dismissed without prejudice for failure to exhaust state court remedies.
2. A petitioner whose § 2254 petition contains no exhausted claims is not entitled to a *Rhines* stay because the petition is not a mixed petition.
3. The AEDPA limitations period is tolled while a properly filed state post-conviction or other collateral-review application is pending.
4. A certificate of appealability should be denied because Petitioner did not make the required substantial showing of the denial of a constitutional right or show that the procedural ruling was debatable among reasonable jurists.

KEY QUOTATIONS

“None of Petitioner’s habeas claims have been exhausted, thus he has not presented a mixed case of exhausted and un-exhausted claims.” (at 2)

“The AEDPA statute of limitations will be tolled while Petitioner exhausts his state remedies.” (at 2-3)

“This matter is dismissed without prejudice and without requiring Respondent to file a return.” (at 3)

FACTUAL BACKGROUND

Williams filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254 while his state remedies remained unexhausted, including because he had not filed a state post-conviction relief action. He requested a stay and abeyance under *Rhines v. Weber* and sought emergency release on bond. The district court determined that none of his habeas claims had been exhausted and that the petition therefore was not a mixed petition containing both exhausted and unexhausted claims.

PROCEDURAL HISTORY

The petition was referred to Magistrate Judge Shiva V. Hodges for pretrial proceedings. The magistrate judge recommended dismissal without prejudice because none of the habeas claims had been exhausted, and recommended denial of the emergency-release motion. The district court conducted de novo review of the portions specifically challenged, adopted the Report and Recommendation, dismissed the petition without prejudice without requiring a respondent return, denied the stay request and emergency-release motion, and denied a certificate of appealability.

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)
- Rhines v. Weber, 544 U.S. 269 (2005)
- Miller-El v. Cockrell, 537 U.S. 322, 336 (2003)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)
- Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2001)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION Patrick Taevon Williams, C/A No. 1:25-14008-CMC Petitioner, v. Order
Warden of Lee Correctional Institution and Alan Wilson, Respondents. This matter is before the
court on Petitioner's pro se petition pursuant to 28 U.S.C. § 2254. ECF No. 1.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(c), DSC, this matter was referred to United States Magistrate Judge Shiva V. Hodges for pre-trial proceedings. On February 2, 2026, the Magistrate Judge issued a Report and Recommendation ("Report") recommending this matter be summarily dismissed without prejudice and without requiring Respondent to file a return for failure to exhaust state court remedies.

Dkt. No. 11.1 The Magistrate Judge advised Petitioner of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Petitioner filed timely objections. Dkt. No. 14.

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

The court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions.

28 U.S.C. § 636(b)(1). The court is required to review 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.’”) (quoting Fed.

R. Civ. P. 72 advisory committee’s note). The Magistrate Judge recommends dismissing this action for failure to exhaust administrative remedies, including filing a PCR action, with respect to Petitioner’s habeas claims. Dkt. No. 11 at 4.

The Report noted although Petitioner requests a stay and abeyance under *Rhines v. Weber*, 544 U.S. 269 (2005) to the extent any claim is deemed unexhausted, *Rhines* is inapplicable to the instant Petition because it is not “mixed” with exhausted and unexhausted claims. *Id.* at 4-5. Petitioner objects to the recommendation of dismissal. Dkt. No. 14. He does not dispute exhaustion is required, but asserts dismissal, even without prejudice, “creates a substantial and irreparable risk that federal review will be lost due to AEDPA’s one-year limitations period and related procedural barriers.” *Id.* at 1.

He contends the “correct remedy is a *Rhines* stay” and includes a “Motion for Stay-and-Abeyance.” *Id.* at 1, 4. He notes he will file his PCR promptly and inform the court of its progress on regular intervals. After reviewing the record, the applicable law, the Report and Recommendation of the Magistrate Judge, and Petitioner’s objections, the court agrees with the Report.

None of Petitioner’s habeas claims have been exhausted, thus he has not presented a mixed case of 2 exhausted and un-exhausted claims. Accordingly, his Petition does not fall under *Rhines*, as the Magistrate Judge noted.

The AEDPA statute of limitations will be tolled while Petitioner exhausts his state remedies. 28 U.S.C. § 2244(a)(4)(d)(2) (“The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be counted toward any period of limitation under this subsection.”).

Petitioner therefore may re-file his § 2254 after exhausting state remedies. Accordingly, the court adopts and incorporates the Report and Recommendation by reference into this Order. This matter is dismissed without prejudice and without requiring Respondent to file a return. Petitioner’s

motion for emergency release on bond (Dkt. No. 7) is denied.^{2 2} To the extent Petitioner has moved for a stay of this case, that motion is also denied.

3 CERTIFICATE OF APPEALABILITY The governing law provides that: (c)(2) A certificate of appealability may issue... only if the applicant has made a substantial showing of the denial of a constitutional right. (c)(3) The certificate of appealability... shall indicate which specific issue or issues satisfy the showing required by paragraph (2). 28 U.S.C. § 2253(c).

A prisoner satisfies this standard by demonstrating that reasonable jurists would find this court's assessment of his constitutional claims is debatable or wrong and that any dispositive procedural ruling by the district court is likewise debatable. See *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Rose v. Lee*, 252 F.3d 676, 683 (4th Cir.

2001). In this case, the legal standard for the issuance of a certificate of appealability has not been met. Therefore, a certificate of appealability is denied. IT IS SO ORDERED. s/Cameron McGowan Currie CAMERON MCGOWAN CURRIE Senior United States District Judge Columbia, South Carolina March 17, 2026 4