

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Zedrick Smalls v. Charleston County Sheriff's Office

Smalls · No. C/A No. 0:24-4614-RMG-PJG · Decided April 7, 2026

SUMMARY

The magistrate judge recommends granting the parties’ consent motion to remand the remaining state-law claims to the Charleston County Court of Common Pleas. Although the parties invoked 28 U.S.C. § 1447(c), the court explains that it retains supplemental jurisdiction and recommends remand as a discretionary decision under 28 U.S.C. § 1367(c) because the federal claims have been dismissed.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	April 7, 2026
DOCKET	C/A No. 0:24-4614-RMG-PJG
DISPOSITION	remanded
PROCEDURAL POSTURE	Report and recommendation on the parties’ consent motion to remand the remaining state-law claims to state court after dismissal of the federal claims.
STANDARD OF REVIEW	A district judge may review objections to a magistrate judge’s report and recommendation de novo; absent timely objections, the district court need only satisfy itself that there is no clear error on the face of the record before accepting the recommendation.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Zedrick Smalls v. Charleston County Sheriff’s Office

TOPICS

- subject matter jurisdiction
- civil procedure
- section 1983
- federalism

PRACTICE AREAS

- civil procedure
- civil rights
- federal jurisdiction

QUESTIONS PRESENTED

1. Whether the federal court retained supplemental jurisdiction over the remaining state-law claims after all federal claims had been dismissed.
2. Whether remand was mandatory under 28 U.S.C. § 1447(c) or discretionary under 28 U.S.C. § 1367(c).
3. Whether the court should decline supplemental jurisdiction and remand the remaining state-law claims to state court.

HOLDINGS

1. The court retained supplemental jurisdiction over the remaining state-law claims because they were sufficiently related to claims within the court’s original jurisdiction and formed part of the same Article III case or controversy.
2. Remand was not mandatory under § 1447(c) because the court had subject matter jurisdiction over the remaining state-law claims through supplemental jurisdiction; any remand would therefore be discretionary.
3. The court should exercise its discretion under 28 U.S.C. § 1367(c) to decline supplemental jurisdiction and remand the remaining state-law claims to the Charleston County Court of Common Pleas.

KEY QUOTATIONS

“Because the federal claims have now been dismissed, the court may exercise its discretion to decline supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367(c).” (at 1)

“Because the court here retains supplemental jurisdiction over the state law claims, remand here is discretionary rather than mandatory.” (at 1)

FACTUAL BACKGROUND

The action began as a state-law suit in South Carolina state court. Plaintiff later amended the complaint to add federal claims under 42 U.S.C. § 1983, prompting removal to federal court. The federal claims were subsequently dismissed or otherwise terminated, leaving only state-law claims. The parties then jointly sought remand.

PROCEDURAL HISTORY

Plaintiff originally commenced the action in the Charleston County Court of Common Pleas on August 31, 2023, asserting state-law claims against Charleston County and the Charleston County Sheriff’s Office. In July 2024, Plaintiff filed an amended complaint adding defendants and claims, including a claim under 42 U.S.C. § 1983. Defendants removed the action to federal court on August 22, 2024. After the court dismissed Defendant Wellpath and the parties stipulated to dismissal of the remaining federal claims, the parties moved by consent on March 13, 2026, to remand the state-law claims. The magistrate judge recommended granting the motion, based on discretionary relinquishment of supplemental jurisdiction rather than a jurisdictional defect under 28 U.S.C. § 1447(c).

DISPOSITION

remanded

REMAND INSTRUCTIONS

The report and recommendation instructs that the remaining state-law claims be remanded to the Charleston County Court of Common Pleas. The district court was to consider objections under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b) before adopting the recommendation.

CASES CITED

- Carlsbad Tech., Inc. v. HIF Bio, Inc., 556 U.S. 635, 639-40 (2009)
- Carnegie-Mellon Univ. v. Cohill, 484 U.S. 343, 349-50 (1988)
- Hinson v. Nw. Fin. S.C., Inc., 239 F.3d 611, 617 (4th Cir. 2001)
- Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310 (4th Cir. 2005)
- Thomas v. Arn, 474 U.S. 140 (1985)
- Wright v. Collins, 766 F.2d 841 (4th Cir. 1985)
- United States v. Schronce, 727 F.2d 91 (4th Cir. 1984)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA
Zedrick Smalls,) C/A No. 0:24-4614-RMG-PJG) Plaintiff,)) v.) REPORT AND
RECOMMENDATION) Charleston County Sheriff's Office,)) Defendant.)) This action was
originally commenced on August 31, 2023 in the Charleston County Court of Common Pleas
against Charleston County and the Charleston County Sheriff's Office for alleged violations of
state law.

(ECF No. 1-1 at 1-10.) In July 2024, Plaintiff filed an Amended Complaint naming additional defendants and claims, including a claim pursuant to 42 U.S.C. § 1983. (Id. at 33-52.) The defendants removed the matter on August 22, 2024. Following the court's September 4, 2025 order granting Defendant Wellpath's motion to dismiss and the January 12, 2026 stipulation of dismissal filed by the parties, no federal claims remain pending in this matter.

On March 13, 2026, the parties filed a consent motion to remand the remaining state law claims to the Charleston County Court of Common Pleas. (ECF No. 50.) The court recommends that the parties' consent motion to remand be granted, although not for the reasons offered by the parties.¹ Here, the court has supplemental jurisdiction over the 1 The parties' consent motion seeks remand under 28 U.S.C. § 1447(c), which applies to when there are either defects in the removal process or when the court never had subject matter jurisdiction over the claims presented, rendering removal to federal court improper.

Because the court here retains supplemental jurisdiction over the state law claims, remand here is discretionary rather than mandatory. See, e.g., *Carlsbad Tech., Inc. v. HIF Bio, Inc.*, 556 U.S. 635, 639-40 (2009) (“Upon dismissal of the federal claim, the District Court retained its statutory supplemental jurisdiction over the state-law claims. Its decision declining to exercise that statutory authority was not based on a jurisdictional defect but on its discretionary choice not to hear the claims despite its subject-matter jurisdiction over them.”). remaining state law claims.

See 28 U.S.C. § 1367(a) (providing for supplemental jurisdiction over claims that are so related to claims within the court’s original jurisdiction that they form part of the same case or controversy under Article III).

Because the federal claims have now been dismissed, the court may exercise its discretion to decline supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367(c). *Id.* (“The district courts may decline to exercise supplemental jurisdiction over a claim under subsection (a) if... the district court has dismissed all claims over which it has original jurisdiction.”).

Based on the current posture of the case, the court should do so here. See *Carnegie-Mellon Univ. v. Cohill*, 484 U.S. 343, 349-50 (1988) (discussing the factors in deciding whether to exercise supplemental jurisdiction after removal); *Hinson v. Nw. Fin. S.C., Inc.*, 239 F.3d 611, 617 (4th Cir. 2001) (finding the district court did not abuse its discretion to remand the case to state court where the federal claims were no longer at issue, the state claims predominated, and the state claims involved interpretations of complex state statutes on which there was no state precedent).

RECOMMENDATION For the foregoing reasons, the court recommends that the parties’ motion to remand be granted. Oxi msek— April 7, 2026 VamQWnser— Columbia, South Carolina UNITED STATES MAGISTRATE JUDGE The parties’ attention is directed to the important notice on the next page. Page 2 of 3 Notice of Right to File Objections to Report and Recommendation The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge.

Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. “[I]n 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.’ ” *Diamond v. Colonial Life & Acc.*

Ins. Co., 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note). Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing

objections to: Robin L. Blume, Clerk United States District Court 901 Richland Street Columbia, South Carolina 29201 Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation.

28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).