

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

Travis Scott McCall v. Teal Johnson, Public Defender; Charles
Snyder, Public Defender

McCall · No. 6:26-cv-01259-JDA · Decided April 24, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted the Magistrate Judge’s Report and Recommendation and denied Travis Scott McCall’s motion to proceed in forma pauperis. The court summarily dismissed the action without leave to amend or service of process because the plaintiff was subject to the three-strikes rule, the public defender defendants were not state actors, and the action was barred by Younger abstention.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Greenville Division
WRITING FOR THE COURT	Jacquelyn D. Austin
JURISDICTION	United States District Court for the District of South Carolina, Greenville Division
DECIDED	April 24, 2026
DOCKET	6:26-cv-01259-JDA
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending denial of in forma pauperis status and summary dismissal of a pro se civil-rights complaint. The plaintiff filed no objections.
STANDARD OF REVIEW	In the absence of specific objections, clear-error review of the Report and Recommendation; specific objections would require de novo review.
PRECEDENTIAL VALUE	Unpublished district court opinion; precedential status not designated in the opinion.

TOPICS

prisoners rights

section 1983

civil procedure

motions to dismiss

PRACTICE AREAS

Federal civil procedure

Prisoner civil rights

Federal courts

QUESTIONS PRESENTED

1. What standard of review applies when a party files no objections to a magistrate judge's Report and Recommendation?
2. Whether the Report and Recommendation should be accepted and plaintiff's motion to proceed in forma pauperis denied under the three-strikes rule.
3. Whether the action should be summarily dismissed based on the grounds identified in the Report and Recommendation, including lack of state action and Younger abstention.

HOLDINGS

1. When no timely objection is filed, the district court need not conduct de novo review and instead reviews the Report and Recommendation for clear error on the face of the record.
2. The court accepted the Report and Recommendation after finding no clear error, denied plaintiff's motion to proceed in forma pauperis, and summarily dismissed the action without leave to amend or issuance and service of process.

KEY QUOTATIONS

“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” (416 F.3d at 315)

FACTUAL BACKGROUND

Plaintiff filed a pro se civil-rights complaint against Teal Johnson and Charles Snyder, identified as public defenders, and sought leave to proceed in forma pauperis. The magistrate judge determined that plaintiff was subject to the three-strikes rule, that the defendants were not state actors, and that the action was barred by *Younger v. Harris*. Plaintiff did not object to the Report and Recommendation.

PROCEDURAL HISTORY

Plaintiff filed a pro se complaint and a motion to proceed in forma pauperis on March 24, 2026. The matter was referred to Magistrate Judge William S. Brown, who recommended denial of in forma pauperis status and summary dismissal under the three-strikes provision, because the defendants were not state actors, and under Younger abstention. After plaintiff failed to object, the district court reviewed the Report for clear error, accepted it, denied the motion, and summarily dismissed the action without leave to amend or issuance and service of process.

DISPOSITION

dismissed

CASES CITED

- *Younger v. Harris*, 401 U.S. 37 (1971)
- *Mathews v. Weber*, 423 U.S. 261, 271 (1976)
- *Diamond v. Colonial Life & Accident Ins.*, 416 F.3d 310, 315 (4th Cir. 2005)

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