

**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

OPINION

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

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

Travis Scott McCall,) Case No. 6:26-cv-01259-JDA) Plaintiff,))
v.) OPINION AND ORDER

) Teal Johnson, Public Defender;) Charles Snyder, Public Defender,)) Defendants.) This matter is before the Court on Plaintiff’s motion to proceed in forma pauperis and a Report and Recommendation (“Report”) of the Magistrate Judge. [Docs. 2; 8.] In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), D.S.C., this matter was referred to United States Magistrate Judge William S. Brown for pre-trial proceedings. Plaintiff’s pro se Complaint was entered on the docket on March 24, 2026 [Doc. 1], as was a motion for leave to proceed in forma pauperis [Doc. 2]. On March 27, 2026, the Magistrate Judge issued a Report recommending that Plaintiff’s motion to proceed in forma pauperis be denied and the matter be summarily dismissed because Plaintiff is subject to the three-strikes rule under 28 U.S.C. § 1915(g), Defendants are entitled to dismissal because they are not state actors, and the action is barred under *Younger v. Harris*, 401 U.S. 37 (1971). [Doc. 8 at 7–14.] The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. [Id. at 16.] Plaintiff has filed no objections and the time to do so has lapsed. 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. See *Mathews v. Weber*, 423 U.S. 261, 271 (1976). The Court is charged with making a de novo determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). The Court will review the Report only for clear error in the absence of an objection. See *Diamond v. Colonial Life & Accident Ins.*, 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” (internal quotation marks omitted)). The Court has reviewed the record in this case, the applicable law, and the Report of the Magistrate Judge for clear error. Having done so, the Court accepts the Report and Recommendation of the Magistrate Judge and incorporates it by reference. Accordingly, Plaintiff’s motion for leave to proceed in forma pauperis [Doc. 2] is DENIED and this action is summarily DISMISSED without leave to amend and without issuance and service of process. IT IS SO ORDERED. s/ Jacquelyn D. Austin United States District Judge April 24, 2026 Greenville, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.