

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

Taurice Collins v. Christopher Lowell Brown and Town Council of
Mayesville

Collins · No. 3:25-10645-MGL · Decided May 27, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted a magistrate judge's Report and Recommendation and dismissed Taurice Collins's action against Christopher Lowell Brown and the Town Council of Mayesville with prejudice for lack of prosecution. The court deemed pending motions moot and advised Collins of the right to appeal.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Columbia Division
WRITING FOR THE COURT	Mary Geiger Lewis
JURISDICTION	United States District Court for the District of South Carolina, Columbia Division
DECIDED	May 27, 2026
DOCKET	3:25-10645-MGL
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending dismissal with prejudice for lack of prosecution. No party filed objections.
STANDARD OF REVIEW	When no timely objection is filed to a magistrate judge's report and recommendation, the district court need not conduct de novo review and instead must satisfy itself that there is no clear error on the face of the record before accepting the recommendation.
PRECEDENTIAL VALUE	unknown

TOPICS

- civil procedure
- appellate procedure
- standard of review
- preservation of error

PRACTICE AREAS

civil procedure

appellate procedure

federal courts

QUESTIONS PRESENTED

1. What standard of review applies when a party fails to file timely objections to a magistrate judge's report and recommendation?
2. Whether the action should be dismissed with prejudice for lack of prosecution.
3. Whether pending motions should be terminated as moot following dismissal.

HOLDINGS

1. When no timely objection is filed, the district court need not conduct de novo review and may accept the recommendation after determining that there is no clear error on the face of the record.
2. Failure to file timely objections waives appellate review.
3. The action was properly dismissed with prejudice for lack of prosecution.
4. Any pending motions became moot upon dismissal of the action and were deemed moot.

KEY QUOTATIONS

"[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 . . . there is no clear error on the face of the record . . . to accept the recommendation.'"

FACTUAL BACKGROUND

Taurice Collins, proceeding without counsel, brought an action against Christopher Lowell Brown and the Town Council of Mayesville. The magistrate judge recommended dismissal with prejudice because of Collins's failure to prosecute. Collins did not file objections to the report and recommendation.

PROCEDURAL HISTORY

The magistrate judge filed a report and recommendation on May 11, 2026, recommending dismissal with prejudice for lack of prosecution and termination of pending motions. Plaintiff failed to file objections. The district court reviewed the report and record under the applicable clear-error standard, adopted and incorporated the report, dismissed the action with prejudice, and deemed pending motions moot.

DISPOSITION

dismissed

CASES CITED

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

- Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION TAURICE COLLINS, § Plaintiff, § § VS. § CIVIL ACTION NO. 3:25-
10645-MGL § CHRISTOPHER LOWELL BROWN and § TOWN COUNCIL OF
MAYESVILLE, § Defendant. § ORDER ADOPTING THE REPORT AND
RECOMMENDATION, DISMISSING THE ACTION WITH PREJUDICE, AND RENDERING
AS MOOT ANY PENDING MOTIONS Plaintiff Taurice Collins, who is self-represented, brings
this action against Defendants Christopher Lowell Brown and Town Council of Mayesville..

The matter is before the Court for review of the Report and Recommendation (Report) of the
United States Magistrate Judge suggesting to the Court this action be dismissed with prejudice for
lack of prosecution; and any pending motions be terminated.

The Magistrate Judge filed the Report in accordance with 28 U.S.C. § 636 and Local Civil Rule
73.02 for the District of South Carolina. The Magistrate Judge makes only a recommendation to
this Court. The recommendation has no presumptive weight.

The responsibility to make a final determination remains with the Court. Mathews v. Weber, 423
U.S. 261, 270 (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 with
instructions.

28 U.S.C. § 636(b)(1). The Magistrate Judge filed the Report on May 11, 2026, but Collins failed
to file any objections to the Report. “[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... there is no clear error on
the face of the record... to accept the recommendation.’” Diamond v. Colonial Life & Acc.

Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).
Moreover, a failure to object waives appellate review. Wright v. Collins, 766 F.2d 841, 845-46 (4th
Cir. 1985). After a thorough review of the Report and the record in this case pursuant to the
standard set forth above, the Court adopts the Report and incorporates it herein.

It is therefore the judgment of the Court this action is DISMISSED WITH PREJUDICE for lack of
prosecution; and any pending motions are DEEMED AS MOOT. IT IS SO ORDERED. Signed
this 27h day of May, 2026, in Columbia, South Carolina. /s/ Mary Geiger Lewis MARY GEIGER
LEWIS UNITED STATES DISTRICT JUDGE ***** NOTICE OF RIGHT TO APPEAL Collins
is hereby notified of the right to appeal this Order within sixty days from the date hereof, pursuant
to Rules 3 and 4 of the Federal Rules of Appellate Procedure.

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