

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

Isaiah Harris v. Joshua Scarborough

Harris · No. 2:25-8280-RMG · Decided April 19, 2026

SUMMARY

The United States District Court for the District of South Carolina adopts the Magistrate Judge’s Report and Recommendation and dismisses Isaiah Harris’s pro se § 1983 action with prejudice for failure to prosecute. The court finds that Harris failed to respond to the defendant’s motion to dismiss and did not timely object to the Report and Recommendation.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Charleston Division
WRITING FOR THE COURT	Richard Mark Gergel
JURISDICTION	United States District Court for the District of South Carolina, Charleston Division
DECIDED	April 19, 2026
DOCKET	2:25-8280-RMG
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending dismissal with prejudice for failure to prosecute after Plaintiff failed to respond to Defendant's motion to dismiss and failed to object to the R&R.
STANDARD OF REVIEW	When no specific, timely objections are filed to a magistrate judge's report and recommendation, the district court need only review the record for clear error before accepting the recommendation. Specific objections receive de novo review under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Isaiah Harris v. Joshua Scarborough

TOPICS

- motions to dismiss
- civil procedure
- section 1983
- civil rights

PRACTICE AREAS

civil procedure

civil rights

prisoner civil rights

QUESTIONS PRESENTED

1. What standard of review applies when a party fails to file timely, specific objections to a magistrate judge's report and recommendation?
2. Whether the magistrate judge's recommendation to dismiss the action with prejudice for failure to prosecute should be adopted.

HOLDINGS

1. When a party fails to file timely, specific objections 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.
2. Dismissal with prejudice was warranted because Plaintiff failed to respond to the motion to dismiss and failed to object to the report and recommendation, demonstrating an intent not to prosecute the action.

KEY QUOTATIONS

"Where the petitioner fails to timely file any specific objections, "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." (1)

"For the foregoing reasons, the R&R is ADOPTED (Dkt. No. 43) as the Order of the Court. This action is DISMISSED WITH PREJUDICE." (2)

FACTUAL BACKGROUND

Plaintiff Isaiah Harris, proceeding pro se, alleged that Defendant Joshua Scarborough, a Summerville, South Carolina police officer, arrested him for trafficking in fentanyl even though he possessed only marijuana. Harris failed to respond to Defendant's motion to dismiss. He also failed to file timely objections to the magistrate judge's recommendation that the action be dismissed with prejudice for failure to prosecute.

PROCEDURAL HISTORY

Plaintiff brought a pro se action under 42 U.S.C. § 1983 concerning his arrest for alleged fentanyl trafficking. Defendant moved to dismiss. Plaintiff did not respond to the motion or file timely objections to the magistrate judge's recommendation that the action be dismissed with prejudice for failure to prosecute. The district court adopted the R&R and dismissed the action with prejudice.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)
- Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005)
- Cruz v. Beto, 405 U.S. 319, 322 (1972)
- Haines v. Kerner, 404 U.S. 519, 520-21 (1972)
- Weller v. Department of Social Services, 901 F.2d 387, 391 (4th Cir. 1990)

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