

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

Phillip Maurice Hicks v. Berkeley County, et al.

Hicks · No. 8:25-cv-13989-RMG · Decided February 13, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted a magistrate judge’s Report and Recommendation and dismissed Phillip Maurice Hicks’s pro se action concerning alleged unconstitutional conditions of confinement at the Hill Finklea Detention Center. The court rejected objections concerning standing, municipal liability, deliberate indifference, supervisory liability, immunities, alleged human trafficking and attempted murder, and denial of further leave to amend. Federal claims were dismissed without issuance and service of process or further leave to amend, and the court declined supplemental jurisdiction over the state-law claims.

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	February 13, 2026
DOCKET	8:25-cv-13989-RMG
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending summary dismissal of a pro se prison-conditions action without issuance and service of process and without leave to amend. After conducting de novo review of the portions to which Plaintiff objected, the district court adopted the R&R.
STANDARD OF REVIEW	The court conducted de novo review of portions of the Report and Recommendation to which specific objections were made under 28 U.S.C. § 636(b)(1). It reviewed unobjected portions for clear error. Pro se pleadings were liberally construed, but the court did not assume facts or overlook a failure to allege a viable federal claim.

PRECEDENTIAL VALUE	District court opinion; precedential status not stated
PARTIES	Phillip Maurice Hicks v. Berkeley County, City of Charleston, Medical University of South Carolina, Duane Lewis, Tim Shiner, Keshia White, Ernest Jarrett, Jack Landis, Rita Hammond, Kelly Gaston, Kayla Owens, Heather Gilbert, et al.

TOPICS

[section 1983](#)
[prisoners rights](#)
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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the magistrate judge improperly engaged in fact-finding or weighed evidence during screening of the complaint.
2. Whether Plaintiff had standing to assert claims on behalf of other detainees.
3. Whether Berkeley County could be liable under § 1983 for conditions at a county detention center controlled by the sheriff under South Carolina law.
4. Whether Plaintiff plausibly pleaded a Fourteenth Amendment deliberate-indifference claim as a pretrial detainee.
5. Whether Plaintiff plausibly pleaded supervisory liability against the sheriff or deliberate indifference and personal involvement by the fire marshal.
6. Whether the § 1983 claims against the public defender were barred because she was not acting under color of state law.
7. Whether the claims against the family-court judge were barred by judicial immunity.
8. Whether Plaintiff's human-trafficking, attempted-murder, and related claims were plausibly pleaded or barred by standing and the Rooker-Feldman doctrine.
9. Whether the court properly denied further leave to amend as futile.

HOLDINGS

1. A pro se plaintiff may not represent other inmates and lacked standing to assert their claims.
2. Berkeley County could not be held liable under § 1983 for alleged conditions at the detention center because South Carolina law places custody and control of the county jail with the sheriff.
3. Plaintiff failed to state a plausible Fourteenth Amendment deliberate-indifference claim because he did not allege that any defendant knew or should have known of his medical conditions and intentionally, knowingly, or recklessly failed to address a substantial risk of serious harm.

4. Plaintiff failed to state a supervisory-liability claim against the sheriff because he did not identify a subordinate or specific subordinate conduct creating a pervasive and unreasonable risk of constitutional injury.
5. Plaintiff failed to state a plausible claim against the fire marshal because he alleged no fire, gas poisoning, fire-code violation, personal involvement, or causal connection to a constitutional injury.
6. The § 1983 claims against the public defender failed because public defenders do not act under color of state law when performing traditional functions of counsel.
7. The claims against the family-court judge were barred by judicial immunity.
8. The human-trafficking allegations failed because Plaintiff lacked standing to assert claims for other inmates and any challenge to the denial of bond was an improper collateral attack barred by the Rooker-Feldman doctrine. The attempted-murder allegations also failed because Plaintiff did not connect any defendant to the alleged resuscitation treatment or plead a plausible cause of action.
9. The court properly denied a second opportunity to amend because further amendment would be futile.

KEY QUOTATIONS

“A plausible Fourteenth Amendment claim for deliberate indifference to a medical need asserted by a pretrial detainee must plead the following: (1) the detainee had a medical condition or injury that posed a substantial risk of serious harm; (2) the defendant intentionally, knowingly or recklessly acted or failed to act to appropriately address the risk that the condition imposed; (3) the defendant knew or should have known (a) that the detainee had a condition and (b) that the defendant’s action or inaction posed an unjustifiably high risk of harm; and (4) as a result, the detainee was harmed.” (at 6)

“A claim of supervisory liability must include an allegation that the supervisor knew or should have known of a subordinate’s conduct that posed a “pervasive and unreasonable risk of constitutional injury to citizens like plaintiff.”” (at 7)

“A claim of deliberate indifference “is a very high standard—a showing of mere negligence will not meet it.”” (at 8)

“It is well settled that public defenders are not state actors under § 1983 in their performance of traditional functions of counsel.” (at 9)

FACTUAL BACKGROUND

Plaintiff, proceeding pro se, alleged that he experienced unconstitutional conditions and deliberate indifference while detained at the Hill Finklea Detention Center in Berkeley County from April through October 2025. He asserted claims under the Fourth, Sixth, Eighth, Thirteenth, and Fourteenth Amendments, two state-law claims, and claims purportedly on behalf of other detainees. The complaint named governmental entities, jail-related officials, a public defender, a family-court judge, and individuals involved in Plaintiff’s family-court proceedings, but generally failed to connect specific defendants to specific constitutional injuries.

PROCEDURAL HISTORY

Hicks filed an amended § 1983 action alleging deliberate indifference and related claims concerning conditions at the Hill Finklea Detention Center. The magistrate judge recommended dismissal of all federal claims, declining supplemental jurisdiction over state-law claims, and denying further leave to amend. Hicks filed objections challenging the legal standards and dismissal of various defendants and claims. The district court overruled the objections, adopted the R&R, dismissed the federal claims, declined supplemental jurisdiction over the state claims, and dismissed the action without service and without leave to amend.

DISPOSITION

dismissed

CASES CITED

- Hicks v. Berkeley County, C.A. No. 2:26-111, Dkt. No. 19
- 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 for City of Baltimore, 901 F.2d 387, 391 (4th Cir. 1990)
- Cobb v. South Carolina, 2014 WL 4220423, at *7 (D.S.C. Aug. 25, 2014)
- Bell v. Dobey, 2009 WL 1010482, at *3 (D.S.C. Apr. 14, 2009)
- Patel by Patel v. McIntyre, 667 F. Supp. 1131, 1146 n.26 (D.S.C. 1987)
- Grayson v. Peed, 195 F.3d 692, 697 (4th Cir. 1999)
- Short v. Hartman, 87 F.4th 593, 611 (4th Cir. 2023)
- Shaw v. Stroud, 13 F.3d 791, 799 (4th Cir. 1994)
- Polk County v. Dodson, 454 U.S. 312, 317 (1981)
- Matrix Capital Management Fund, LP v. BearingPoint, Inc., 576 F.3d 172, 193 (4th Cir. 2009)
- Johnson v. Oroweat Foods Co., 785 F.2d 503, 510 (4th Cir. 1986)

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