

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Joshua Jordan v. Payment Saver, LLC and Casey Graham

Jordan · No. 4:25-cv-913-JD · Decided May 27, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted a magistrate judge’s Report and Recommendation finding that it lacked personal jurisdiction over Payment Saver, LLC and Casey Graham. The court granted the motion to dismiss in part and transferred the action to the Northern District of Georgia under 28 U.S.C. § 1406(a).

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Joseph Dawson, III
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	May 27, 2026
DOCKET	4:25-cv-913-JD
DISPOSITION	remanded
PROCEDURAL POSTURE	District court review of a magistrate judge's Report and Recommendation concerning Defendants' motion to dismiss for lack of personal jurisdiction.
STANDARD OF REVIEW	When no specific objections are filed to a magistrate judge's Report and Recommendation, the district court need not conduct de novo review and must only satisfy itself that there is no clear error on the face of the record.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- personal jurisdiction
- motions to dismiss
- venue
- civil procedure
- trademark law

PRACTICE AREAS

- civil procedure
- personal jurisdiction
- trademark law
- torts
- commercial litigation

QUESTIONS PRESENTED

1. Whether Defendants were subject to specific or general personal jurisdiction in South Carolina.
2. Whether the action should be transferred rather than dismissed under 28 U.S.C. § 1406(a) if personal jurisdiction was lacking.
3. What standard of review applied to the magistrate judge's Report and Recommendation in the absence of specific objections.

HOLDINGS

1. The court lacked personal jurisdiction over Graham and Payment Saver because Plaintiff failed to make a prima facie showing of either specific or general personal jurisdiction in South Carolina.
2. When personal jurisdiction is lacking, transfer to an appropriate district rather than dismissal was warranted under 28 U.S.C. § 1406(a), and the action was transferred to the Northern District of Georgia.
3. Because no party filed specific objections, the court was not required to conduct de novo review and instead reviewed the record for clear error.

KEY QUOTATIONS

“The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made.” (at Legal Standard)

“Rather than dismissing the action, however, the Court concludes that transfer is appropriate under 28 U.S.C. § 1406(a).” (at Conclusion)

FACTUAL BACKGROUND

Joshua Jordan, a South Carolina resident and former operator of Prehired, LLC, alleged that Casey Graham, Payment Saver's CEO, published LinkedIn posts concerning Prehired's business practices. Jordan claimed the posts caused business losses and interfered with Prehired's contractual relationships. Graham resides in Georgia, and Payment Saver is a Georgia limited liability company headquartered and principally based in Cumming, Georgia.

PROCEDURAL HISTORY

Joshua Jordan sued Payment Saver, LLC and Casey Graham for tortious interference with contracts and business relationships and alleged false or misleading representations under the Lanham Act. Defendants moved to dismiss under Federal Rule of Civil Procedure 12(b)(2). The magistrate judge recommended granting the motion in part for lack of personal jurisdiction and transferring the action to the Northern District of Georgia under 28 U.S.C. § 1406(a). No party filed objections. The district court found no clear error, adopted the Report and Recommendation, and transferred the action.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The case was transferred, rather than remanded, to the United States District Court for the Northern District of Georgia. The receiving court is to proceed with the action.

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)
- United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)
- Thomas v. Arn, 474 U.S. 140, 147 (1985)
- Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983)

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