

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA, GREENVILLE DIVISION**

**Earnest Vaughn, Sr. a/k/a Earnest E. Vaughn a/k/a Earnest Edward
Vaughn a/k/a Earnest Edward Vaughn, Sr. v. SCDC Health Services,
Roxanne LaPointe, D. Phillips, S. Wachter, N. McFadden, Ofc.
Bowman, Dr. Way**

Vaughn v. SCDC Health Services · No. 6:25-cv-13381-JDA-KFM · Decided December 10, 2025

OPINION

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF SOUTH CAROLINA GREENVILLE DIVISION) Earnest Vaughn, Sr.) Case No. 6:25-cv-13381-JDA-KFM a/k/a Earnest E. Vaughn) a/k/a Earnest Edward Vaughn) a/k/a Earnest Edward Vaughn, Sr.,) OPINION AND ORDER) Plaintiff,)) v.)) SCDC Health Services, Roxanne) LaPointe, D. Phillips, S. Wachter,) N. McFadden, Ofc.

Bowman,) Dr. Way,)) Defendants.) This matter is before the Court on Plaintiff's motion for a preliminary injunction. [Doc. 4.] 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 Kevin F. McDonald for pre-trial proceedings.

On November 12, 2025, the Clerk docketed Plaintiff's Complaint brought pursuant to 42 U.S.C. § 1983 and his motion for a preliminary injunction. [Docs. 1; 4.] On November 21, 2025, the Magistrate Judge issued a Report recommending that the motion be denied because Plaintiff has not shown that he is likely to succeed on the merits of his claims. [Doc. 9.]

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 5.] The Clerk docketed objections from Plaintiff on December 9, 2025. [Doc. 12.]

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, 270–71 (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)).

In his objections, Plaintiff largely fails to engage the Magistrate Judge’s analysis. [See generally Doc. 12.] Nonetheless, out of an abundance of caution for the pro se Plaintiff, the Court has conducted a de novo review of the Report, the record, and the applicable law. Upon such review, the Court accepts the Report and Recommendation of the Magistrate Judge and incorporates it by reference.

[Doc. 9.] Accordingly, Plaintiff’s motion for a preliminary injunction [Doc. 4] is DENIED. IT IS SO ORDERED. s/ Jacquelyn D. Austin United States District Judge December 10, 2025 Greenville, South Carolina NOTICE OF RIGHT TO APPEAL Plaintiff is hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.