

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Wendy D. Pate v. United States Postal Service

Pate · No. 4:24-3865-JD-KDW · Decided January 9, 2026

SUMMARY

The magistrate judge recommends granting the United States Postal Service’s motion for summary judgment in Wendy D. Pate’s Federal Tort Claims Act premises-liability action. The court concludes that Pate failed to provide evidence that the government created the allegedly defective door condition or had actual or constructive knowledge of it. The recommendation also concludes that the asserted subsequent door repairs and alleged missing incident records do not establish a genuine dispute of material fact.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Kaymani D. West, United States Magistrate Judge
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	January 9, 2026
DOCKET	4:24-3865-JD-KDW
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on the Defendant's motion for summary judgment in a Federal Tort Claims Act premises-liability action brought by a pro se plaintiff.
STANDARD OF REVIEW	Summary judgment is appropriate when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The evidence is viewed in the light most favorable to the nonmoving party, but unsupported speculation, a mere scintilla of evidence, or conclusions not based on personal knowledge are insufficient to create a genuine dispute.
PRECEDENTIAL VALUE	Unknown; report and recommendation from a federal district court and no precedential status is stated.
PARTIES	Wendy D. Pate v. United States Postal Service

TOPICS

summary judgment

premises liability

negligence

duty of care

evidence

PRACTICE AREAS

Federal Tort Claims Act

premises liability

negligence

summary judgment

evidence

QUESTIONS PRESENTED

1. Whether Defendant was entitled to summary judgment because Plaintiff lacked evidence that Defendant created the alleged dangerous door condition or had actual or constructive knowledge of it.
2. Whether Plaintiff's photographs, alleged absence of an incident report, and alleged employee statements created a genuine dispute of material fact sufficient to defeat summary judgment.
3. Whether subsequent remedial measures could be used to establish negligence or a defective condition.

HOLDINGS

1. Summary judgment should be granted because Plaintiff failed to provide evidence that Defendant created the alleged dangerous condition or had actual or constructive knowledge that the door was dangerous and failed to remedy it.
2. The challenged evidence did not create a genuine dispute of material fact because it did not establish that the door was defective on the incident date or that Defendant had notice of a dangerous condition.

KEY QUOTATIONS

“The court shall grant summary judgment “if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.””

“To recover damages for injuries caused by a dangerous or defective condition on a defendant’s premises, a plaintiff ‘must show either (1) that the injury was caused by a specific act of the respondent which created the dangerous condition; or (2) that the respondent had actual or constructive knowledge of the dangerous condition and failed to remedy it.’”

FACTUAL BACKGROUND

Pate alleged that on July 8, 2022, she entered the Lake City, South Carolina, Post Office through a side entrance and that the door rapidly closed, catching her heel and causing her to fall and sustain multiple injuries. She was a frequent customer familiar with the post office and testified that the door had worked properly during her visits two days before the incident and that she noticed no dangerous condition when she opened it. Her later photographs showed additional holes around the door-closure mechanism, but she did not establish when the photographs were taken or when any repair occurred, and the available maintenance report documented replacement of the door closure in 2005.

PROCEDURAL HISTORY

Pate filed this action on July 8, 2024, alleging that a side entrance door at a United States Post Office injured her when it rapidly closed. Defendant moved for summary judgment, and the parties filed opposition, reply, and sur-

reply papers. The magistrate judge recommended that the district court grant summary judgment for Defendant and dismiss the action with prejudice; the opinion is a report and recommendation rather than a final district-court judgment.

DISPOSITION

other

CASES CITED

- Cruz v. Beto, 405 U.S. 319 (1972)
- Weller v. Dep't of Soc. Servs., 901 F.2d 387 (4th Cir. 1990)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322-23 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 252, 255 (1986)
- Ennis v. Nat'l Ass'n of Bus. & Educ. Radio, Inc., 53 F.3d 55, 62 (4th Cir. 1995)
- Latif v. The Cmty. Coll. of Baltimore, 354 F. App'x 828, 830 (4th Cir. 2009)
- Corrigan v. United States, 815 F.2d 954, 955 (4th Cir. 1987)
- Charleston Elec. Servs., Inc. v. Rahall, 831 S.E.2d 122, 125 (S.C. Ct. App. 2019)
- Singleton v. Sherer, 377 S.C. 185, 200, 659 S.E.2d 196, 204 (Ct. App. 2008)
- Larimore v. Carolina Power & Light, 531 S.E.2d 535, 538 (S.C. Ct. App. 2000)
- Sims v. Giles, 541 S.E.2d 857, 863 (S.C. Ct. App. 2001)
- Pringle v. SLR, Inc. of Summerton, 675 S.E.2d 783, 787-88 (S.C. 2009)
- Anderson v. Racetrac Petroleum, Inc., 371 S.E.2d 530, 531 (S.C. 1988)
- Barwick v. Celotex Corp., 736 F.2d 946, 963 (4th Cir. 1984)