

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Mary Pressley v. 21st Mortgage

No. 6:25-13312-BHH, United States District Court for the District of South Carolina (December 8, 2025)

SUMMARY

The United States District Court for the District of South Carolina reviewed a magistrate judge’s recommendation to summarily dismiss Mary Pressley’s action against 21st Mortgage. Finding no clear error and agreeing that subject matter jurisdiction was lacking and abstention was appropriate under the Rooker-Feldman doctrine, the Court adopted the Report and Recommendation. The Court denied Pressley’s motion for a temporary restraining order and dismissed the action.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Bruce H. Hendricks
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	December 8, 2025
DOCKET	6:25-13312-BHH
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending summary dismissal for lack of subject matter jurisdiction and denial of Plaintiff's motion for a temporary restraining order and preliminary injunction. No objections were filed.
STANDARD OF REVIEW	In the absence of specific objections to the magistrate judge's Report and Recommendation, the district court reviewed the record and recommendation for clear error.
PRECEDENTIAL VALUE	Unknown; district court order with no reporter citation.

TOPICS

- subject matter jurisdiction
- injunctions
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when no specific objections were filed.
2. Whether the action should be dismissed for lack of subject matter jurisdiction.
3. Whether Plaintiff's motion for a temporary restraining order and preliminary injunction should be denied.

HOLDINGS

1. When no specific objections are filed, the district court reviews the Report and Recommendation for clear error rather than conducting de novo review.
2. The action must be dismissed for lack of subject matter jurisdiction.
3. The motion for a temporary restraining order and preliminary injunction is denied.

KEY QUOTATIONS

“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.’” (at 2)

FACTUAL BACKGROUND

The opinion concerns Plaintiff Mary Pressley's claims against 21st Mortgage and her request for a temporary restraining order and preliminary injunction. The magistrate judge determined that the district court lacked subject matter jurisdiction and that abstention was appropriate under the Rooker-Feldman doctrine. The district court found no clear error in that analysis.

PROCEDURAL HISTORY

Plaintiff moved for a temporary restraining order and preliminary injunction. The matter was referred to Magistrate Judge William S. Brown, who recommended summary dismissal and denial of the motion based on lack of subject matter jurisdiction and the Rooker-Feldman doctrine. After no party filed objections, the district court reviewed the Report for clear error, adopted it, denied the motion, and dismissed the action for lack of subject matter jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261 (1976)

- *Diamond v. Colonial Life & Accident Insurance Co.*, 416 F.3d 310, 315 (4th Cir. 2005)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA
Mary Pressley,)) Plaintiff,)) Civil Action No. 6:25-13312-BHH v.)) ORDER 21st Mortgage,))
Defendants.) _____) This matter is before the Court upon
Plaintiff Mary Pressley's ("Plaintiff") motion for a temporary restraining order and preliminary
injunction.

(ECF No. 4.) In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B) (D.S.C.), the matter was referred to a United States Magistrate Judge for preliminary review. On November 13, 2025, Magistrate Judge William S. Brown issued a Report and Recommendation ("Report") outlining the issues and recommending that the Court summarily dismiss this action and deny Plaintiff's motion.

(ECF No.8.) In the Report, the Magistrate Judge explained that the Court lacks subject matter jurisdiction over Plaintiff's claims. Additionally, the Magistrate Judge explained that abstention is appropriate under the Rooker-Feldman doctrine. (Id.) Attached to the Magistrate Judge's Report was a notice advising the parties of the right to file written objections to the Report within fourteen days of being served with a copy.

To date, no objections have been filed. The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976).

The Court is charged with making a de novo determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

In the absence of specific objections, the Court reviews the matter only for clear error. See *Diamond v. Colonial Life & Accident Ins. Co.*, 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.'" (quoting Fed.

R. Civ. P. 72 advisory committee's note). Here, because no objections to the Report have been filed, the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error.

After review, the Court finds no clear error and agrees with the Magistrate Judge's analysis. Accordingly, the Court adopts the Magistrate Judge's Report (ECF No. 8); the Court denies

Plaintiff's motion for a temporary restraining order (ECF No. 4) and dismisses this action for lack of subject matter jurisdiction. IT IS SO ORDERED. /s/Bruce H. Hendricks United States District Judge December 8, 2025 Charleston, South Carolina 2

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