

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Chronister v. Wallace

No. 1:26-cv-1063-JFA-SVH (D.S.C. Apr. 10, 2026) · No. 1:26-cv-1063-JFA-SVH · Decided April 10, 2026

SUMMARY

The United States District Court for the District of South Carolina adopts a magistrate judge’s report and recommendation and dismisses Jeffrey Lynn Chronister’s habeas petition without prejudice. The court construes the filing as a successive petition under 28 U.S.C. § 2254 because it challenges the underlying state conviction and seeks immediate release, notwithstanding its labeling under § 2241. The court overrules the petitioner’s objection and denies a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Joseph F. Anderson, Jr.
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	April 10, 2026
DOCKET	1:26-cv-1063-JFA-SVH
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief and immediate release from incarceration based on a state-court conviction. After the magistrate judge recommended dismissal, petitioner filed objections. The district court conducted de novo review of the specifically objected-to portions, adopted the report and recommendation, dismissed the petition without prejudice, and denied a certificate of appealability.
STANDARD OF REVIEW	The district court reviews de novo the specific portions of a magistrate judge's report and recommendation to which a specific objection is made, and reviews unobjected-to portions, including portions subject only to general or conclusory objections, for clear error.
PRECEDENTIAL VALUE	Unpublished district court order; generally nonprecedential
PARTIES	Jeffrey Lynn Chronister v. Warden Terri Wallace

TOPICS

federal habeas corpus

successive petitions

post-conviction relief

civil procedure

pleadings

PRACTICE AREAS

federal habeas corpus

state post-conviction relief

magistrate judge reports and recommendations

successive habeas petitions

certificate of appealability

QUESTIONS PRESENTED

1. Whether a habeas petition labeled under 28 U.S.C. § 2241 should be treated as a petition under 28 U.S.C. § 2254 when it substantively attacks a state-court conviction and seeks immediate release.
2. Whether the petition was subject to dismissal as a successive § 2254 petition because petitioner had not obtained authorization to file it.
3. What standard of review governs the district court's consideration of objections to the magistrate judge's report and recommendation.

HOLDINGS

1. The substance of a habeas filing, rather than the statutory label assigned by the petitioner, controls its characterization. A petition attacking a state-court conviction and seeking immediate release is properly construed as a petition under 28 U.S.C. § 2254.
2. The petition was subject to dismissal because it was properly construed as a successive § 2254 petition and petitioner had not obtained permission to file a successive petition.
3. The district court must review de novo the portions of a magistrate judge's report and recommendation to which a specific objection is made, and may accept, reject, or modify the recommendation. The court found no clear error in the remaining portions and adopted the report and recommendation.

KEY QUOTATIONS

“the substance of the petition controls the court’s analysis regardless of the label attached.” (Discussion)

“the petition is dismissed without prejudice and without requiring Respondent to file an answer or return.”
(Conclusion)

FACTUAL BACKGROUND

Chronister, a state prisoner, filed a habeas petition seeking immediate release from incarceration based on his state-court conviction. Although he labeled the filing a petition under 28 U.S.C. § 2241, the substance of the petition challenged the underlying conviction. The magistrate judge concluded that the filing was substantively a § 2254 petition and was successive without the required authorization.

PROCEDURAL HISTORY

Chronister filed a petition labeled under 28 U.S.C. § 2241. The magistrate judge construed the petition as a successive petition under 28 U.S.C. § 2254 and recommended dismissal because Chronister had not obtained

authorization to file a successive petition. Chronister objected that the § 2241 label avoided the successive-petition bar. The district court rejected that objection, adopted the report and recommendation, dismissed the petition without prejudice, and denied a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261 (1976)
- Carniewski v. West Virginia Board of Probation & Parole, 974 F.2d 1330 (4th Cir. 1992)
- Camby v. Davis, 718 F.2d 198, 199–200 (4th Cir. 1983)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315–16 (4th Cir. 2005)
- Dunlap v. TM Trucking of the Carolinas, LLC, No. 0:15-cv-04009-JMC, 2017 WL 6345402, at *5 n.6 (D.S.C. Dec. 12, 2017)
- One Parcel of Real Property Known as 2121 E. 30th St., 73 F.3d 1057, 1059 (10th Cir. 1996)
- Workman v. Perry, No. 6:17-cv-00765-RBH, 2017 WL 4791150, at *1 (D.S.C. Oct. 23, 2017)
- Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982)
- Staley v. Norton, No. 9:07-0288-PMD, 2007 WL 821181, at *1 (D.S.C. Mar. 2, 2007)
- Howard v. Secretary of Health and Human Services, 932 F.2d 505, 509 (6th Cir. 1991)
- Rivers v. Guerrero, 605 U.S. 443, 450–51 (2025)
- Miller-El v. Cockrell, 537 U.S. 322, 336 (2003)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)
- Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2001)

OPINION

IN THE UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA Jeffrey Lynn Chronister, # 189827, C/A No. 1:26-cv-1063-JFA-SVH Petitioner, v. ORDER Warden Terri Wallace, Respondent. I. INTRODUCTION Jeffrey Lynn Chronister (“Petitioner”), proceeding pro se, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for initial review. After performing an initial review of the petition pursuant to the Rules Governing Section 2254 Proceedings¹ for the United States District Court, the Magistrate Judge assigned to this action² prepared a through report and recommendation (“Report”).

(ECF No. 5). Within the Report, the Magistrate Judge opines the petition is subject to dismissal for lack of jurisdiction. The Report sets forth, in detail, the relevant facts and standards of 1 The Rules Governing Section 2254 are applicable to habeas actions brought under § 2241. See Rule 1(b). 2

The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.).

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. *Mathews v. Weber*, 423 U.S. 261 (1976). law on this matter, and this Court incorporates those facts and standards without a recitation. Petitioner filed objections to the Report.

(ECF No. 10). Thus, this matter is ripe for review. II. STANDARD OF REVIEW 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. *Mathews v. Weber*, 423 U.S. 261 (1976). A district court is only required to conduct a de novo review of the specific portions of the Magistrate Judge's Report to which an objection is made.

See 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992). In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. See *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Thus, the Court must only review those portions of the Report to which Petitioner has made a specific written objection. *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 316 (4th Cir. 2005). Then, the court may accept, reject, or modify the Report or recommit the matter to the magistrate judge. 28 U.S.C. § 636(b). "An objection is specific if it 'enables the district judge to focus attention on those issues—factual and legal—that are at the heart of the parties' dispute.'" *Dunlap v. TM Trucking of the Carolinas, LLC*, No. 0:15-cv-04009-JMC, 2017 WL 6345402, at *5 n.6 (D.S.C.

Dec. 12, 2017) (citing *One Parcel of Real Prop. Known as 2121 E. 30th St.*, 73 F.3d 1057, 1059 (10th Cir. 1996)). A specific objection to the Magistrate Judge's Report thus requires more than a reassertion of arguments from the complaint or a mere citation to legal authorities. See *Workman v. Perry*, No. 6:17-cv-00765-RBH, 2017 WL 4791150, at *1 (D.S.C. Oct. 23, 2017).

A specific objection must "direct the court to a specific error in the magistrate's proposed findings and recommendations." *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). "Generally stated, nonspecific objections have the same effect as would a failure to object." *Staley v. Norton*, No. 9:07-0288-PMD, 2007 WL 821181, at *1 (D.S.C. Mar. 2, 2007) (citing *Howard v. Secretary of Health and Human Services*, 932 F.2d 505, 509 (6th Cir.

1991)). The Court reviews portions "not objected to—including those portions to which only 'general and conclusory' objections have been made—for clear error." *Id.* (citing *Diamond*, 416 F.3d at 315; *Camby*, 718 F.2d at 200; *Orpiano*, 687 F.2d at 47) (emphasis added). III.

DISCUSSION As stated above, the relevant facts and standards of law on this matter are incorporated from the Report and therefore no further recitation is necessary here.

(ECF No. 5). In short, Petitioner filed this action to request immediate release from incarceration for his state court conviction. The Report construed this petition as one brought under 28 U.S.C. § 2254. Accordingly, the Magistrate Judge determined that this petition was successive and therefore subject to dismissal because Petitioner failed to acquire permission to file a successive petition.

Petitioner's response appears to assert one specific objection. (ECF No. 10). Petitioner avers that the bar on successive petitions is not applicable here because his petition was brought pursuant to 28 U.S.C. § 2241—not 28 U.S.C. § 2254 as determined in the Report. It is true that Petitioner labeled his filing as a § 2241 petition.

However, as correctly stated in the Report, the substance of the petition controls the court's analysis regardless of the label attached. *Rivers v. Guerrero*, 605 U.S. 443, 450–51 (2025) (“These rules apply to second-in-time habeas filings even if the filing is not styled as a § 2254 habeas application by the filer—so long as the document is a § 2254 petition in substance.”).

Because Petitioner is attacking his underlying conviction and seeking immediate release, his petition is properly construed as a §2254 petition. Accordingly, Petitioner's objection is overruled.

IV. CONCLUSION After a thorough review of the Report, the applicable law, and the record of this case, the Court finds no clear error in the Report.

After a de novo review of each part of the Report to which Plaintiff specifically objected, the Court hereby adopts the Report and Recommendation. (ECF No. 5). For the reasons discussed above and in the Report, the petition is dismissed without prejudice and without requiring Respondent to file an answer or return. It is further ordered that a certificate of appealability is denied because Petitioner has failed to make “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).³ A certificate of appealability will not issue absent “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2).

A prisoner satisfies this standard by demonstrating that reasonable jurists would find both that his constitutional claims are debatable and that any dispositive procedural rulings by the district court are also debatable or wrong. See *Miller-El v. IT IS SO ORDERED*. April 10, 2026 Joseph F. Anderson, Jr. Columbia, South Carolina United States District Judge Cockrell, 537 U.S. 322, 336 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Rose v. Lee*, 252 F.3d 676, 683 (4th Cir.

2001). In the instant matter, the court finds that Petitioner has failed to make “a substantial showing of the denial of a constitutional right.”