UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA

Travis McCrea, a/k/a Travis McCrae, a/k/a Travis Sintell McCrae v. Truist Bank, Mike McGuire, Chief Financial Officer, Rachel Sickles, Account Officer, Sure Payroll, Inc.

McCrea v. Truist Bank · No. 4:25-cv-13112-JD-TER · Decided January 7, 2026

SUMMARY

The United States District Court for the District of South Carolina reviews and adopts a magistrate judge's recommendation to dismiss Travis McCrea's pro se, in forma pauperis complaint against Truist Bank, bank and payroll personnel, and Sure Payroll, Inc. The court concludes that the cited federal statutes and executive orders do not establish a private right of action or federal-question jurisdiction, and that diversity jurisdiction was not adequately pleaded. The complaint and any remaining state-law claims are dismissed without prejudice and without issuance and service of process.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	January 7, 2026
DOCKET	4:25-cv-13112-JD-TER
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court conducted de novo review of a magistrate judge's Report and Recommendation addressing the initial screening of a pro se, in forma pauperis complaint. Plaintiff objected to the recommendation of dismissal for lack of subject-matter jurisdiction.
STANDARD OF REVIEW	De novo review of portions of the Report and Recommendation to which specific objections are made under 28 U.S.C. § 636(b)(1); absent specific objections, the district court need not provide an explanation for adopting the recommendation.
PRECEDENTIAL VALUE	unpublished district court opinion; precedential status unknown
PARTIES	Travis McCrea, a/k/a Travis McCrae, a/k/a Travis Sintell McCrae v. Truist Bank, Mike McGuire, Chief Financial Officer, Rachel Sickles, Account Officer, Sure Payroll, Inc.

TOPICS

subject matter jurisdiction · civil procedure · consumer protection · commercial litigation · motions to dismiss

PRACTICE AREAS

civil procedure · federal jurisdiction · consumer protection · commercial litigation

QUESTIONS PRESENTED

1. Whether Plaintiff's objections to the magistrate judge's Report and Recommendation were sufficiently specific to require further review or demonstrate error.
2. Whether the complaint established subject-matter jurisdiction through a federal question or diversity jurisdiction.
3. Whether the court should decline supplemental jurisdiction over any remaining state-law claims after dismissing all claims within its original jurisdiction.

HOLDINGS

1. Objections that merely restate arguments previously presented and rejected, without identifying a specific factual or legal error, are insufficient under 28 U.S.C. § 636(b)(1); Plaintiff's objections were therefore overruled.
2. The complaint failed to establish subject-matter jurisdiction because the cited federal statutes did not provide an applicable private right of action, federal-question jurisdiction was lacking, and diversity jurisdiction was not pleaded.
3. After dismissing all claims within its original jurisdiction, the court declined to exercise supplemental jurisdiction over the remaining state-law claims and dismissed those claims without prejudice.

KEY QUOTATIONS

> *"the filing of objections to a magistrate's report enables the district judge to focus attention on those issues—factual and legal—that are at the heart of the parties' dispute."* (Legal Standard)

FACTUAL BACKGROUND

Proceeding pro se and in forma pauperis, Plaintiff sued his bank and payroll processor over the freezing and closure of accounts and related financial consequences. He invoked various federal banking, credit, tax, and other authorities, as well as allegations of fiduciary misconduct. The court found that the cited statutes did not provide applicable private rights of action and that Plaintiff failed to establish federal-question or diversity jurisdiction.

PROCEDURAL HISTORY

Plaintiff filed a complaint against his bank and payroll processor alleging violations of federal statutes arising from the freezing and closure of accounts and related financial consequences. The magistrate judge reviewed the complaint under 28 U.S.C. § 1915 and recommended dismissal without prejudice, without issuance and service of process, based on the absence of a private right of action, lack of federal-question jurisdiction, and failure to plead diversity jurisdiction. After Plaintiff filed objections, the district court overruled them, adopted the Report and Recommendation, dismissed the complaint without prejudice, and declined supplemental jurisdiction over remaining state-law claims.

DISPOSITION

dismissed

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 Ins. Co., 416 F.3d 310, 315 (2005)
- Thomas v. Arn, 474 U.S. 140, 147 (1985)
- Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983)
- Carnegie-Mellon Univ. v. Cohill, 484 U.S. 348, 350 (1988)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA Travis McCrea, a/k/a Travis McCrae,) Case No.: 4:25-cv-13112-JD-TER a/k/a Travis Sintell McCrae)) Plaintiff,)) vs.) ORDER AND OPINION))) Truist Bank Mike McGuire, Chief) Financial Officer,) Rachel Sickles, Account Officer,) Sure Payroll, Inc.,)) Defendants.)) This matter is before the Court on the Report and Recommendation ("Report") of United States Magistrate Judge Thomas E. Rogers III (DE 7), issued under 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.).

The Report concerns the Magistrate Judge's initial review of Plaintiff Travis McCrea, a/k/a Travis McCrae, a/k/a Travis Sintell, McCrae's ("Plaintiff" or "McCrae") complaint.1 A. Background The Report sets forth the relevant facts and legal standards, which the Court incorporates without a complete recitation.

In brief, Plaintiff, proceeding pro se and in forma pauperis, brought this action against his bank and payroll processor alleging 1 The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976).

The court is charged with making a de novo determination of those portions of the Report and Recommendation to which 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 with instructions. 28 U.S.C. § 636(b)(1). violations of various federal statutes arising from the freezing and closure of accounts and related financial consequences.

B. Report and Recommendation The Magistrate Judge reviewed Plaintiff's complaint pursuant to 28 U.S.C. § 1915, and a Report was issued on November 5, 2025, finding that Plaintiff failed to establish subject-matter jurisdiction.

The Report concludes that Plaintiff's cited statutes do not provide applicable private rights of action, federal question jurisdiction is lacking, and diversity jurisdiction is not pleaded. The Magistrate Judge, therefore, recommends dismissal without prejudice and without issuance and service of process and recommends declining supplemental jurisdiction over any state-law claims.

Plaintiff filed objections to the Report on November 20, 2025. (DE 9.) C. Legal Standard To be actionable, objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir.

1984). "The Supreme Court has expressly upheld the validity of such a waiver rule, explaining that 'the filing of objections to a magistrate's report enables the district judge to focus attention on those issues—factual and legal—that are at the heart of the parties' dispute.'" Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (2005) (citing Thomas v. Arn, 474 U.S. 140, 147 (1985) (emphasis added)).

In the absence of specific objections to the Report and Recommendation of the magistrate judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). D. Plaintiff's Objections Plaintiff's objections do not identify any specific factual or legal error in the Report's analysis.

Instead, Plaintiff reiterates that federal question jurisdiction exists based on federal banking statutes, credit and tax statutes, Executive Orders, and generalized allegations of fiduciary misconduct. (DE 9 at 2–5.)

As to the cited banking and financial statutes, Plaintiff again relies on provisions that govern regulatory oversight or enforcement by federal agencies but do not create a private right of action applicable to the conduct alleged.

The Report expressly addressed this deficiency, and Plaintiff's objection does not explain how those statutes confer jurisdiction or provide a viable cause of action in this case. Plaintiff's reliance on Executive Orders is similarly unavailing. Executive Orders, absent express statutory authorization, do not create enforceable private rights or independently confer federal jurisdiction, and Plaintiff identifies no authority to the contrary.

To the extent Plaintiff asserts violations of tax statutes and claims of fiduciary misconduct by individual defendants, those assertions are either conclusory, raised for the first time in the objection, or insufficient to establish subject-matter jurisdiction or a plausible federal claim. Disagreement with the Report's conclusions, without identifying an error in its reasoning, is not a proper objection under 28 U.S.C. § 636(b)(1).

Accordingly, because Plaintiff's objections merely restate arguments already addressed and rejected in the Report and fail to demonstrate any error in the Magistrate Judge's findings or conclusions, the objections are overruled. EK. Conclusion After a thorough review of the Report and Recommendation and the record in this case, the Court finds no error.

The Court, therefore, adopts the Report (DE 7) and incorporates it herein by reference. It is, therefore, ORDERED that Plaintiffs complaint is DISMISSED WITHOUT PREJUDICE and without issuance and service of process.

Because the Court dismisses all claims over which it has original jurisdiction, the Court declines to exercise supplemental jurisdiction over any remaining state-law claims pursuant to 28 U.S.C. § 13867(c)(3). See Carnegie-Mellon Univ. v. Cohill, 484 U.S. 348, 350 (1988). Those claims are dismissed without prejudice. IT IS SO ORDERED. Florence, South Carolina □□ January 6, 2026 Chew □□□ United States District Judge NOTICE OF RIGHT TO APPEAL The parties are hereby notified of the right to appeal this order within thirty (30) days from this date under Rules 3 and 4 of the Federal Rules of Appellate Procedure.