

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

Travis Scott McCall a/k/a Travis Scott McCall, Sr. v. Scotty Bodiford,
GCDC Administrator; James E. Hudson, Magistrate 13th Cir County
of Greenville, SC

McCall v. Bodiford · No. 6:25-cv-13422-JDA · Decided January 5, 2026

SUMMARY

The United States District Court for the District of South Carolina reviewed a magistrate judge’s recommendation to dismiss Travis Scott McCall’s amended complaint against the Greenville County Detention Center administrator and a Greenville County magistrate. After conducting de novo review, the court adopted the recommendation and dismissed the action without issuance or service of process, without leave to amend, and without prejudice, citing pleading deficiencies and the Younger abstention doctrine.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Greenville Division
WRITING FOR THE COURT	Jacquelyn D. Austin
JURISDICTION	United States District Court for the District of South Carolina, Greenville Division
DECIDED	January 5, 2026
DOCKET	6:25-cv-13422-JDA
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed an amended complaint. After referral for pretrial proceedings, the magistrate judge recommended dismissal without issuance and service of process and without leave to amend. Plaintiff filed objections, and the district court conducted a de novo review before ruling on the Report and Recommendation.
STANDARD OF REVIEW	The district court conducts de novo review of portions of a magistrate judge’s report to which specific objections are made. In the absence of a timely objection, the court reviews for clear error before accepting the recommendation.

PRECEDENTIAL VALUE	unpublished
PARTIES	Travis Scott McCall a/k/a Travis Scott McCall, Sr. v. Scotty Bodiford, GCDC Administrator, James E. Hudson, Magistrate 13th Cir County of Greenville, SC

TOPICS

prisoners rights

section 1983

civil rights

civil procedure

motions to dismiss

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

QUESTIONS PRESENTED

1. What standard of review applies when a party objects to a magistrate judge's Report and Recommendation?
2. Whether the Report and Recommendation should be accepted and the action dismissed without issuance or service of process, without leave to amend, and without prejudice.

HOLDINGS

1. A district court must conduct a de novo determination of any portion of a magistrate judge's Report and Recommendation to which a specific objection is made; absent an objection, the court need only review for clear error before accepting the recommendation.
2. The court accepted the Report and Recommendation and dismissed the action without issuance or service of process, without leave to amend, and without prejudice.

KEY QUOTATIONS

“The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court.”

“Accordingly, this action is DISMISSED without issuance or service of process, without leave to amend, and without prejudice.”

FACTUAL BACKGROUND

Plaintiff brought an action concerning claims that, according to the Report and Recommendation, challenged charges pending against him or his present incarceration at the Greenville County Detention Center. The magistrate judge concluded that Plaintiff failed to adequately plead a claim and that claims challenging the pending charges or incarceration were barred by the Younger abstention doctrine. Plaintiff filed objections but did not engage with or acknowledge that analysis.

PROCEDURAL HISTORY

The matter was referred to United States Magistrate Judge William S. Brown under 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), D.S.C. On December 15, 2025, the magistrate judge recommended dismissal without issuance and service of process and without leave to amend. Plaintiff filed objections on December 29, 2025, but did not address the magistrate judge's analysis. The district court accepted and incorporated the Report and Recommendation and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)

OPINION

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF SOUTH CAROLINA GREENVILLE DIVISION Travis Scott McCall a/k/a) Case No. 6:25-cv-13422-JDA Travis Scott McCall, Sr.,)) Plaintiff,)) OPINION AND ORDER v.)) Scotty Bodiford, GCDC Administrator;) James E. Hudson, Magistrate 13th) Cir County of Greenville, SC,)) Defendants.) This matter is before the Court on Plaintiffs' Amended Complaint and a Report and Recommendation ("Report") of the Magistrate Judge.

[Docs. 11; 15.] 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 William S. Brown for pre-trial proceedings. On December 15, 2025, the Magistrate Judge issued a Report recommending that this action be dismissed without issuance and service of process and without leave to amend.

[Doc. 15.] 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 19.] On December 29, 2025, the Clerk docketed Plaintiff's objections to the Report. [Doc. 17.]

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)).

The Report explains several reasons why Plaintiff fails to adequately plead a claim and why, to the extent Plaintiffs’ claims are brought to challenge the charges pending against Plaintiff or his present incarceration at the Greenville County Detention Center, his claims are barred by the Younger abstention doctrine. [Doc. 15 at 7–17.]

In his objections, Plaintiff does not engage, or even acknowledge, the Magistrate Judge’s analysis. [Doc. 17.] Nevertheless, 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.

Accordingly, this action is DISMISSED without issuance or service of process, without leave to amend, and without prejudice. IT IS SO ORDERED. s/ Jacquelyn D. Austin United States District Judge January 5, 2026 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.