

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

Nierre Gray-Gentry v. 7th Circuit Solicitor’s Office, Spartanburg
County, State of South Carolina, Tyler Brown

Gray-Gentry · No. 7:25-cv-07312-DCC · Decided April 13, 2026

SUMMARY

The United States District Court for the District of South Carolina dismissed Nierre Gray-Gentry’s civil-rights action arising from ongoing state criminal proceedings. The court held that Younger abstention applied and that Defendant Tyler Brown was entitled to prosecutorial immunity. The court dismissed the remaining action with prejudice, without leave to amend or issuance and service of process, and denied Plaintiff’s motion to expedite.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Spartanburg Division
WRITING FOR THE COURT	Donald C. Coggins, Jr.
JURISDICTION	United States District Court for the District of South Carolina, Spartanburg Division
DECIDED	April 13, 2026
DOCKET	7:25-cv-07312-DCC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff objected to a magistrate judge’s Report and Recommendation recommending dismissal of his civil-rights complaint. The district court conducted de novo review, adopted the recommendation in part, found part moot because several defendants had been voluntarily dismissed, and dismissed the remaining claims with prejudice without issuance or service of process and without leave to amend.
STANDARD OF REVIEW	De novo review of portions of the magistrate judge’s Report and Recommendation to which specific objections were made; clear-error review applies in the absence of a timely specific objection.
PRECEDENTIAL VALUE	nonprecedential district-court order

PARTIES

Nierre Gray-Gentry v. 7th Circuit Solicitor's Office, Spartanburg County, State of South Carolina, Tyler Brown

TOPICS

section 1983 injunctions civil procedure government liability constitutional law

PRACTICE AREAS

civil rights constitutional law criminal procedure federal courts

QUESTIONS PRESENTED

1. Whether Younger abstention required dismissal of Plaintiff's request for injunctive relief interfering with ongoing state criminal proceedings.
2. Whether Defendant Tyler Brown was entitled to prosecutorial immunity for conduct connected with judicial proceedings.
3. Whether the claims against the 7th Circuit Solicitor's Office, Spartanburg County, and the State of South Carolina remained justiciable after Plaintiff voluntarily dismissed those defendants.

HOLDINGS

1. Younger abstention was appropriate because ongoing state judicial proceedings existed, the proceedings implicated important state interests, and Plaintiff had an adequate opportunity to raise his federal claims in the state proceedings.
2. Defendant Tyler Brown was entitled to prosecutorial immunity because Plaintiff's claims concerned core prosecutorial activities in or connected with judicial proceedings.
3. The portion of the magistrate judge's recommendation concerning the 7th Circuit Solicitor's Office, Spartanburg County, and the State of South Carolina was moot because Plaintiff had voluntarily dismissed those defendants.

KEY QUOTATIONS

"The States' interest in administering their criminal justice systems free from federal interference is one of the most powerful of the considerations that should influence a court considering equitable types of relief."
(Analysis)

"Here, Plaintiff has the opportunity to assert his claims in the Spartanburg County General Sessions Court. Accordingly, abstention is appropriate under Younger." (Analysis)

FACTUAL BACKGROUND

Plaintiff brought a civil-rights action concerning ongoing state criminal proceedings in Spartanburg County General Sessions Court. He clarified that he sought only injunctive relief to terminate the state prosecution and did not seek damages or federal interference in state affairs. His remaining claim was against prosecutor Tyler

Brown, while the 7th Circuit Solicitor’s Office, Spartanburg County, and the State of South Carolina had been voluntarily dismissed.

PROCEDURAL HISTORY

Plaintiff filed a complaint alleging civil-rights violations arising from ongoing South Carolina criminal proceedings. The matter was referred to Magistrate Judge Kevin F. McDonald under 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), D.S.C. The magistrate judge recommended dismissal with prejudice, without leave to amend, and without issuance and service of process. Plaintiff filed objections, a supplement, and a motion to expedite. The district court reviewed the challenged portions de novo, treated the claims against three voluntarily dismissed defendants as moot, adopted the recommendation in part, dismissed the remaining action, and denied the motion to expedite.

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)
- Younger v. Harris, 401 U.S. 37 (1971)
- Gilliam v. Foster, 75 F.3d 881, 903-04 (4th Cir. 1996)
- Martin Marietta Corp. v. Maryland Commission on Human Relations, 38 F.3d 1392, 1396 (4th Cir. 1994)
- Middlesex County Ethics Committee v. Garden State Bar Association, 457 U.S. 423, 432 (1982)
- Kelly v. Robinson, 479 U.S. 36, 49 (1986)
- Kugler v. Helfant, 421 U.S. 117, 124 (1975)
- Buckley v. Fitzsimmons, 509 U.S. 259, 267-71 (1993)
- Dababnah v. Keller-Burnside, 208 F.3d 467 (4th Cir. 2000)

OPINION

Gray-Gentry

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Nierre Gray-Gentry,) Case No. 7:25-cv-07312-DCC) Plaintiff,)) v.) ORDER) 7th Circuit
Solicitor’s Office,) Spartanburg County, State of South) Carolina, Tyler Brown,)) Defendants.)
_____) This matter is before the Court upon Plaintiff’s
complaint alleging violations of his civil rights. ECF No. 1. 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 Kevin F. McDonald for pre-trial proceedings and a Report and Recommendation (“Report”). On October 29, 2025, the Magistrate Judge issued a Report recommending that this action be dismissed with prejudice, without leave to amend, and without issuance and service of process. ECF No. 22. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences for failing to do so. Plaintiff filed objections to the Report, a supplement, and a motion to expedite.¹ ECF Nos. 24, 26, 27. ¹ The objections and the supplement are identical.

APPLICABLE LAW

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 (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. 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.” (citation omitted)).

ANALYSIS

As an initial matter, the Court finds that the Magistrate Judge has provided a thorough recitation of the relevant facts and applicable law, which the Court incorporates by reference. The Magistrate Judge recommends summary dismissal of Plaintiff’s complaint because abstention is appropriate under *Younger*,² three of the Defendants are not persons amenable to suit pursuant to § 1983, and because Defendant Tyler Brown is 2 In *Younger v. Harris*, 401 U.S. 37 (1971), the Supreme Court held that a federal court should not interfere with state criminal proceedings “except in the most narrow and extraordinary of circumstances.” *Gilliam v. Foster*, 75 F.3d 881, 903 (4th Cir. 1996). entitled to prosecutorial immunity. Because Plaintiff filed objections, the Court’s review has been de novo. In his objections, Plaintiff objects to some of the procedural history of this action and asserts that the case manager and/or the Magistrate Judge are confused. He clarifies that he is not requesting money damages and is only seeking to have his state prosecution terminated. He further states that he is not requesting that the federal government interfere in state affairs. He objects to the Magistrate Judge’s application of *Younger*. Plaintiff clarifies that he voluntarily dismissed all Defendants except Defendant Brown. He argues that Defendant Brown is not entitled to prosecutorial immunity. As Plaintiff has voluntarily dismissed the 7th Circuit Solicitor’s Office, Spartanburg County, and the State of South Carolina, the Court finds that portion of the Report moot. Turning to the Magistrate Judge recommendation that abstention under *Younger* is appropriate, the Court agrees. As explained in more detail by the Magistrate Judge, from *Younger*

and its progeny, the Fourth Circuit Court of Appeals has culled the following test to determine when abstention is appropriate: “(1) there are ongoing state judicial proceedings; (2) the proceedings implicate important state interests; and (3) there is an adequate opportunity to raise federal claims in the state proceedings.” *Martin Marietta Corp. v. Md. Comm’n on Human Relations*, 38 F.3d 1392, 1396 (4th Cir. 1994) (citing *Middlesex Cnty. Ethics Comm. v. Garden State Bar Ass’n*, 457 U.S. 423, 432 (1982)). Here, all three criteria are met. As to the first criterion, Plaintiff is involved in ongoing state criminal proceedings. As to the second and third criteria, the Supreme Court has stated that the “States’ interest in administering their criminal justice systems free from federal interference is one of the most powerful of the considerations that should influence a court considering equitable types of relief.” *Kelly v. Robinson*, 479 U.S. 36, 49 (1986). The Supreme Court has further found ““that ordinarily a pending state prosecution provides the accused a fair and sufficient opportunity for vindication of federal constitutional rights.”” *Gilliam*, 75 F.3d at 904 (quoting *Kugler v. Helfant*, 421 U.S. 117, 124 (1975)). Here, Plaintiff has the opportunity to assert his claims in the Spartanburg County General Sessions Court. Accordingly, abstention is appropriate under *Younger*. As Plaintiff has clarified that he is only seeking injunctive relief, the Court could end its analysis here. However, out of an abundance of caution, the Court further notes that Defendant Brown is entitled to prosecutorial immunity. As explained in more detail by the Magistrate Judge, prosecutors have absolute immunity from civil liability for activities in or connected with judicial proceedings such as criminal trials, bond hearings, bail hearings, grand jury proceedings, and pretrial motions hearings. *Buckley v. Fitzsimmons*, 509 U.S. 259, 267–71 (1993); *Dababnah v. Keller-Burnside*, 208 F.3d 467 (4th Cir. 2000). Here, Plaintiff’s claims against Defendant involve core activities relating to judicial proceedings and are, thus, barred by prosecutorial immunity.

CONCLUSION

Accordingly, upon de novo review of the record, the Report, and the applicable law, the Court adopts in part and finds as moot in part the recommendation of the Magistrate Judge. Defendants 7th Circuit Solicitor’s Office, Spartanburg County, and the State of South Carolina have been voluntarily dismissed. The remainder of this action is DISMISSED with prejudice, without issuance and service of process, and without further leave to amend. Plaintiff’s motion to expedite [27] is DENIED. IT IS SO ORDERED. s/ Donald C. Coggins, Jr. United States District Judge
April 13, 2026 Spartanburg, South Carolina

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.