

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Casey Robinson v. Kathy White and Shana Peeler

Robinson · No. 5:25-12935-BHH-KDW · Decided November 21, 2025

SUMMARY

The magistrate judge recommends dismissing Casey Robinson’s civil rights action without prejudice under Federal Rule of Civil Procedure 41(b) because the plaintiff failed to maintain a current address and could not be contacted. The Report and Recommendation explains that the case may proceed if Robinson provides a current address within the objection period and advises the parties of their right to file specific written objections.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Kaymani D. West
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	November 21, 2025
DOCKET	5:25-12935-BHH-KDW
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, proceeding pro se and while detained at Spartanburg County Jail, filed a civil-rights action. The magistrate judge issued a Report and Recommendation recommending dismissal without prejudice because Plaintiff failed to keep the court apprised of his address and failed to provide proper service documents.
STANDARD OF REVIEW	If no timely specific objections are filed to the Report and Recommendation, the district court need only satisfy itself that there is no clear error on the face of the record before accepting the recommendation; timely specific objections require de novo review of the challenged portions.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- service of process
- civil procedure
- section 1983
- prisoners rights

PRACTICE AREAS

civil rights

civil procedure

prisoner civil rights

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) because Plaintiff failed to maintain a current address and failed to provide proper service information.
2. What standard of review the district court should apply to the Report and Recommendation if the parties do not file timely specific objections.

HOLDINGS

1. The magistrate judge recommended that the action be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) because Plaintiff failed to keep the court apprised of his address, causing the court's order to be returned as undeliverable and preventing service and communication regarding the case.
2. In the absence of timely specific objections, the district court need only satisfy itself that there is no clear error on the face of the record before accepting the recommendation.

KEY QUOTATIONS

“Based on the foregoing, the undersigned recommends this action be dismissed without prejudice in accordance with Fed. R. Civ. P. 41(b).”

“Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation.”

FACTUAL BACKGROUND

Casey Robinson filed a civil-rights Complaint while detained at Spartanburg County Jail. The court directed him to complete service documents for the named Defendants and warned that failure to provide the required information could lead to dismissal. The order was returned as undeliverable, and the court could not locate Plaintiff through the South Carolina Department of Corrections website, leaving the court and Defendants without a means to contact him.

PROCEDURAL HISTORY

Plaintiff filed a Complaint alleging that Defendants violated his civil rights. The court ordered him to complete service documents and warned that failure to provide the required information could result in dismissal. The order was returned as undeliverable, and a search of the South Carolina Department of Corrections website did not locate Plaintiff. The magistrate judge therefore recommended dismissal without prejudice under Federal Rule of Civil Procedure 41(b), subject to Plaintiff's ability to provide a current address within the objection period.

DISPOSITION

other

REMAND INSTRUCTIONS

The Clerk was directed to vacate the Report and Recommendation and return the file to the magistrate judge if Plaintiff notified the court within the objection period that he wished to continue the case and provided a current address. Otherwise, the Clerk was directed to forward the Report and Recommendation to the district judge for disposition.

CASES CITED

- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310 (4th Cir. 2005)
- Thomas v. Arn, 474 U.S. 140 (1985)
- Wright v. Collins, 766 F.2d 841 (4th Cir. 1985)
- United States v. Schronce, 727 F.2d 91 (4th Cir. 1984)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA
Casey Robinson,) C/A No.: 5:25-12935-BHH-KDW) Plaintiff,)) v.) REPORT AND
RECOMMENDATION) Kathy White and Shana Peeler,)) Defendants.)) Casey Robinson
("Plaintiff"), proceeding pro se, filed this action while being detained at Spartanburg County Jail.
Plaintiff filed this Complaint alleging Defendants violated his civil rights.

On October 22, 2025, the court issued an order informing Plaintiff his Complaint was not in proper form for service and directing Plaintiff to fully complete service documents for the Defendants named in his case. ECF No. 10. Plaintiff was warned the failure to provide the necessary information within a specific time period may subject the case to dismissal.

Id. On November 17, 2025, the proper form order was returned to the court as undeliverable with the notation "Return to Sender, Not Deliverable as Addressed, Unable to Forward." ECF No. 14. The Clerk of Court completed a search on the South Carolina Department of Corrections ("SCDC") website, and Plaintiff is not incarcerated in SCDC.

As a result of Plaintiff's failure to keep the court apprised of his address, neither the court nor the Defendants have any means of contacting him concerning his case. Based on the foregoing, the undersigned recommends this action be dismissed without prejudice in accordance with Fed. R. Civ. P. 41(b).

The Clerk is directed to send this Report and Recommendation to Plaintiff at his last known address. If Plaintiff notifies the court within the time set for filing objections to this Report and Recommendation that he wishes to continue with this case and provides a current address, the Clerk is directed to vacate this Report and Recommendation and return this file to the undersigned for further handling.

If, however, no objections are filed, the Clerk shall forward this Report and Recommendation to the district judge for disposition. IT IS SO RECOMMENDED. A gy BN November 21, 2025 Kaymani D. West Florence, South Carolina United States Magistrate Judge The parties are directed to note the important information in the attached "Notice of Right to File Objections to Report and Recommendation." Notice of Right to File Objections to Report and Recommendation The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge.

Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. [I]n 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.

Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note). Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to: Robin L. Blume, Clerk United States District Court Post Office Box 2317 Florence, South Carolina 29503 Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation.

28 U.S.C. § 636(b)(1); Thomas v. Arn, 474 U.S. 140 (1985); Wright v. Collins, 766 F.2d 841 (4th Cir. 1985); United States v. Schronce, 727 F.2d 91 (4th Cir. 1984). 3