

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA

Quantel Saunders v. SIS LT Denney et al.

Saunders · No. 5:25-cv-00561 · Decided April 17, 2026

SUMMARY

The United States District Court for the Southern District of West Virginia adopts a magistrate judge’s proposed findings and recommendation in Quantel Saunders’s Bivens action. The court denies Saunders’s application to proceed without prepayment of fees and costs, dismisses the complaint, and dismisses the matter because no timely objections were filed.

CASE DETAILS

COURT	United States District Court for the Southern District of West Virginia
JURISDICTION	United States District Court for the Southern District of West Virginia
DECIDED	April 17, 2026
DOCKET	5:25-cv-00561
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's proposed findings and recommendation after the plaintiff failed to file objections. The court adopted the PF&R, denied the application to proceed without prepayment of fees and costs, dismissed the Bivens complaint, and dismissed the matter.
STANDARD OF REVIEW	The court need not conduct de novo review of portions of a magistrate judge's PF&R to which no timely objection is made, and it need not conduct de novo review of general and conclusory objections that fail to identify a specific error.
PRECEDENTIAL VALUE	unpublished district court order; precedential status not stated
PARTIES	Quantel Saunders v. SIS LT Denney, SIS Sweeney, SIS Duncan, SIS Stennett, SHU 1 CO Ayers, SHU 1 CO Woods, CO Privete, CO Kinkaid, CO Farrish, CO Scarbro, CO Mills, Warden Holzapfel, Ass Warden Howell, Capt Metzger, Unit Manager Smith, Case Manager McCoy, LT Bailey, Counselor Humpheries, Hill, Head R&D/Post Office/Mail Room

TOPICS

civil procedure

prisoners rights

civil rights

PRACTICE AREAS

Federal civil procedure

Prisoner civil rights

QUESTIONS PRESENTED

1. Whether the district court was required to conduct de novo review of the magistrate judge's PF&R when the plaintiff filed no objections.
2. Whether the court should adopt the PF&R, deny the application to proceed without prepayment of fees and costs, and dismiss the complaint.

HOLDINGS

1. The district court was not required to conduct de novo or other review of the magistrate judge's factual or legal conclusions because Saunders filed no timely objections.
2. Failure to file timely objections to the PF&R constitutes a waiver of de novo review and the right to appeal the district court's order on the recommended matters.
3. The court adopted the PF&R, denied Saunders's application to proceed without prepayment of fees and costs, dismissed the complaint, and dismissed the matter.

KEY QUOTATIONS

“Accordingly, the Court ADOPTS the PF&R [ECF 9], DENIES the Application to Proceed without Prepayment of Fees and Costs [ECF 1], DISMISSES the Complaint [ECF 2], and DISMISSES the matter.”

FACTUAL BACKGROUND

Saunders filed a Bivens complaint and an application to proceed without prepayment of fees and costs. A magistrate judge recommended denying the application and dismissing the complaint. Saunders did not object to the PF&R by the extended deadline.

PROCEDURAL HISTORY

Saunders filed an application to proceed without prepayment of fees and costs and a Bivens complaint on September 22, 2025. The matter was referred to Magistrate Judge Omar J. Aboulhosn, who issued a PF&R on January 16, 2026, recommending denial of the application and dismissal of the complaint. After receiving an extension of time, Saunders filed no objections by the April 13, 2026 deadline, and the district court adopted the PF&R and dismissed the action.

DISPOSITION

dismissed

CASES CITED

- Bivens v. Six Unknown Federal Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971)
- Thomas v. Arn, 474 U.S. 140 (1985)
- United States v. De Leon-Ramirez, 925 F.3d 177, 181 (4th Cir. 2019)
- Snyder v. Ridenour, 889 F.2d 1363, 1366 (4th Cir. 1989)
- Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982)

OPINION

Saunders

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF WEST VIRGINIA

AT BECKLEY

QUANTEL SAUNDERS,

Plaintiff, v. CIVIL ACTION NO. 5:25-cv-00561 SIS LT DENNEY and SIS SWEENEY and SIS DUNCAN and SIS STENNETT and SHU 1 CO AYERS and SHU 1 CO WOODS and CO PRIVETE and CO KINKAID and CO FARRISH and CO SCARBRO and CO MILLS and WARDEN HOLZAPFEL and ASS WARDEN HOWELL and CAPT METZGER and UNIT MANAGER SMITH and CASE MANAGER MCCOY and LT BAILEY and COUNSLOR HUMPHERIES and HILL, Head R&D/Post Office/Mail Room; in their Individual Capacity and Official Capacity, Defendants.

ORDER

Pending are Plaintiff Quantel Saunders' Application to Proceed without Prepayment of Fees and Costs [ECF 1] and Complaint pursuant to Bivens v. Six Unknown Federal Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971) [ECF 2], both filed September 22, 2025. This action was previously referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission of proposed findings and a recommendation ("PF&R"). Magistrate Judge Aboulhosn filed his PF&R on January 16, 2026. Magistrate Judge Aboulhosn recommended the Court deny Mr. Saunders' Application to Proceed Without Prepayment of Fees or Costs and dismiss Mr. Saunders' Complaint. [ECF 9 at 20]. The Court need not review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140 (1985); see also 28 U.S.C. § 636(b)(1) ("A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." (emphasis added)). Failure to file timely objections constitutes a waiver of de novo review and the Petitioner's right to appeal the Court's order. See 28 U.S.C. § 636(b)(1); see also United States v. De Leon- Ramirez, 925 F.3d 177, 181 (4th Cir. 2019) (Parties may not typically "appeal a magistrate judge's findings that were not objected to below, as § 636(b) doesn't

require de novo review absent objection.”); *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989). Further, the Court need not conduct de novo review when a party “makes general and conclusory objections that do not 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). On February 11, 2026, the Court granted Mr. Saunders an extension of time to object to the PF&R. [ECF 11]. Pursuant to that Order, objections were due on April 13, 2026. No objections were filed. Accordingly, the Court ADOPTS the PF&R [ECF 9], DENIES the Application to Proceed without Prepayment of Fees and Costs [ECF 1], DISMISSES the Complaint [ECF 2], and DISMISSES the matter. The Court directs the Clerk to transmit a copy of this Order to counsel of record and any unrepresented party. ENTER: April 17, 2026 “Tams Chief United States District Judge