

**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.

OPINION

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