

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

Chance D. Wilson v. Anthony Phyll, Major

Wilson · No. 6:24-cv-05768-JDA · Decided April 28, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted the magistrate judge’s Report and Recommendation and granted Defendant Anthony Phyll’s motion for summary judgment. The action was dismissed with prejudice because Plaintiff Chance D. Wilson failed to exhaust his administrative remedies.

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	April 28, 2026
DOCKET	6:24-cv-05768-JDA
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending grant of Defendant's motion for summary judgment, with prejudice, for failure to exhaust administrative remedies. No party filed objections.
STANDARD OF REVIEW	In the absence of objections to the magistrate judge's Report and Recommendation, the district court reviewed the recommendation for clear error. A specific objection would have required de novo review of the challenged portion.
PRECEDENTIAL VALUE	Unknown; district court opinion with no precedential designation stated in the text
PARTIES	Chance D. Wilson v. Anthony Phyll, Major

TOPICS

summary judgment

prisoners rights

civil procedure

PRACTICE AREAS

civil procedure

prisoner civil rights

QUESTIONS PRESENTED

1. Whether the district court should accept the magistrate judge's Report and Recommendation when no party filed objections.
2. Whether Defendant was entitled to summary judgment with prejudice because Plaintiff failed to exhaust his administrative remedies.

HOLDINGS

1. When no party files a timely objection to a magistrate judge's Report and Recommendation, the district court reviews the recommendation for clear error rather than conducting de novo review.
2. Defendant was entitled to summary judgment with prejudice because Plaintiff failed to exhaust his administrative remedies.

KEY QUOTATIONS

"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"

FACTUAL BACKGROUND

The opinion concerns a pro se action brought by Chance D. Wilson against Anthony Phyll, Major. The magistrate judge recommended summary judgment for Defendant because Wilson failed to exhaust his administrative remedies, and the district court adopted that recommendation after finding no clear error.

PROCEDURAL HISTORY

Plaintiff filed a pro se Complaint on October 10, 2024. Defendant moved to dismiss or, alternatively, for summary judgment on December 15, 2025. On March 31, 2026, Magistrate Judge Kevin F. McDonald recommended granting summary judgment with prejudice because Plaintiff failed to exhaust administrative remedies. The district court found no clear error, adopted the Report and Recommendation, and granted summary judgment with prejudice.

DISPOSITION

other

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)

- *Diamond v. Colonial Life & Accident Ins.*, 416 F.3d 310, 315 (4th Cir. 2005)

OPINION

Wilson

PER CURIAM.

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF SOUTH CAROLINA

GREENVILLE DIVISION

Chance D. Wilson,) Case No. 6:24-cv-05768-JDA) Plaintiff,))

v.) OPINION AND ORDER

) Anthony Phyll, Major,)) Defendant.)) This matter is before the Court on Defendant's motion to dismiss or, in the alternative, for summary judgment. [Doc. 98.] 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. Plaintiff's pro se Complaint was entered on the docket on October 10, 2024. [Doc. 1.] On December 15, 2025, Defendant filed a motion to dismiss or, in the alternative, for summary judgment. [Doc. 98.] On March 31, 2026, the Magistrate Judge issued a Report and Recommendation ("Report") recommending that Defendant's motion for summary judgment be granted, with prejudice, because Plaintiff failed to exhaust his administrative remedies. [Doc. 114 at 7–11, 12.] The Magistrate Judge advised the parties of the procedures and requirements for filing objections to the Report and the serious consequences if they failed to do so. [Id. at 13.] No party has filed objections to the Report, and the time to do so has lapsed. 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 Court has reviewed the record in this case, the applicable law, and the Report of the Magistrate Judge for clear error. Having done so, the Court accepts the Report and Recommendation of the Magistrate Judge and incorporates it by reference. Accordingly, Defendant's motion for summary judgment [Doc. 98] is GRANTED, with prejudice, for failure to exhaust. IT IS SO ORDERED. s/ Jacquelyn D. Austin United States District Judge April 28, 2026 Greenville, 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.

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