

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA**

**Ron S. McCray v. Joel Anderson, Elisabeth Holcomb, Dr. McRee,
and Dr. Ringold**

McCray · No. 8:25-cv-11451-CMC · Decided April 7, 2026

SUMMARY

The United States District Court for the District of South Carolina adopts a magistrate judge's Reports and Recommendations and denies Plaintiff Ron S. McCray's three motions for default judgment. The court finds no clear error, notes that properly served defendants filed an Answer, and concludes that Defendant Holcomb was not served and therefore cannot be held in default.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION Ron S. McCray, Civil Action No. 8:25-cv-11451-CMC
Plaintiff, vs. ORDER Joel Anderson; Elisabeth Holcomb; Dr. McRee; Dr. Ringold, Defendants.
This matter is before the court on Plaintiff's Motions for Default Judgment. Dkt. Nos. 43, 54, 68.
Defendants filed responses to the three motions.

Dkt. Nos. 49, 57, 77. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d),
D.S.C., the matter was referred to United States Magistrate Judge William S. Brown for pre-trial
proceedings. On February 23, 2026, the Magistrate Judge entered a Report and Recommendation
("Report") recommending Plaintiff's first two motions for default judgment be denied.

Dkt. No. 65. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing
objections to the Report and the serious consequences if he failed to do so. Plaintiff failed to file
objections, and the time to do so has expired. Plaintiff did, however, file a third motion for default
judgment. Dkt. No. 68.¹ On March 13, 2026, the Magistrate Judge entered a second Report
addressing Plaintiff's third motion for default judgment.

Dkt. No. 79. The Magistrate Judge advised Plaintiff ¹ He also filed a motion for extension of time
to respond to the initial Report, requesting a due date of March 16, 2026. Dkt. No. 75. He did not,
however, file objections on or before March 16, 2026. This motion is now moot. of the procedures
and requirements for filing objections to the Report and the serious consequences if he failed to do
so.

Plaintiff failed to file objections, and the time to do so has expired.² 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 is required to 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).

After a review of the record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error, and agrees Plaintiff’s motions for default should be denied. Accordingly, the court adopts the Report by reference in this Order. All Defendants who were properly served have filed an Answer in this matter (Dkt. No. 48).

Service has not been accomplished as to Defendant Holcomb, and Defendants note Defendants Ringold and Holcomb are likely the same person, as Holcomb is Ringold’s former last name. Regardless, 2 The court notes Plaintiff has filed other motions during this time. See Dkt. No. 93. 2 as she has not been served, Defendant Holcomb cannot be held in default. Plaintiff’s motions for default judgment (Dkt.

Nos. 43, 54, 68) are denied.³ IT IS SO ORDERED. s/Cameron McGowan Currie CAMERON MCGOWAN CURRIE Senior United States District Judge Columbia, South Carolina April 7, 2026 3 As noted above, Dkt. No. 75 is moot. 3