

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

Green v. Clover Valley, Dollar General Corporation, Insurance
Company, Flowers Food Inc., and ESIS/ACE American Insurance
Company

Green · No. 3:25-13136-MGL · Decided March 26, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted the magistrate judge’s report and recommendation and dismissed Jeremy Green’s complaint without prejudice and without issuance or service of process for lack of subject matter jurisdiction. The court concluded that Green’s untimely filing did not present substantive objections to the report and recommendation, and therefore reviewed the record for clear error.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Columbia Division
WRITING FOR THE COURT	Mary Geiger Lewis
JURISDICTION	United States District Court for the District of South Carolina, Columbia Division
DECIDED	March 26, 2026
DOCKET	3:25-13136-MGL
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending summary dismissal of the complaint without prejudice and without issuance and service of process for lack of subject matter jurisdiction. The plaintiff filed an untimely submission that did not address the Report and Recommendation.
STANDARD OF REVIEW	When no timely specific objection is filed to a magistrate judge's Report and Recommendation, the district court need not conduct de novo review and instead must satisfy itself that there is no clear error on the face of the record before accepting the recommendation.
PRECEDENTIAL VALUE	unknown

PARTIES

Jeremy Green v. Clover Valley, Dollar General Corporation, Insurance Company, Flowers Food Inc, ESIS/ACE American Insurance Company

TOPICS

subject matter jurisdiction

appellate procedure

standard of review

civil procedure

PRACTICE AREAS

civil procedure

federal jurisdiction

appellate procedure

QUESTIONS PRESENTED

1. Whether the district court was required to conduct de novo review when the plaintiff's purported objections were untimely and did not address the magistrate judge's Report and Recommendation.
2. Whether the complaint should be dismissed without prejudice and without issuance and service of process for lack of subject matter jurisdiction.

HOLDINGS

1. A submission that is untimely and does not address the Report and Recommendation constitutes no objection; absent a timely specific objection, the district court need not conduct de novo review and may review the record for clear error before adopting the recommendation.
2. The complaint was dismissed without prejudice and without issuance and service of process for lack of subject matter jurisdiction.
3. Failure to file timely objections to a magistrate judge's Report and Recommendation waives appellate review.

KEY QUOTATIONS

"[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 . . . to accept the recommendation.'"

FACTUAL BACKGROUND

Jeremy Green, proceeding without counsel, filed an action against Clover Valley, Dollar General Corporation, Insurance Company, Flowers Food Inc., and ESIS/ACE American Insurance Company. The magistrate judge recommended dismissal without prejudice and without issuance and service of process for lack of subject matter jurisdiction. Green's purported objections were untimely and did not address the recommendation.

PROCEDURAL HISTORY

The magistrate judge filed the Report and Recommendation on February 26, 2026. Green filed purported objections on March 18, 2026, but the submission consisted of medical records and a Clerk's Office document

and did not object to the recommendation. The district court therefore reviewed the record for clear error, adopted and incorporated the Report and Recommendation, and dismissed the case without prejudice and without issuance and service of process for lack of subject matter jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Mathews v. Weber, 423 U.S. 261, 270 (1976)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)
- Wright v. Collins, 766 F.2d 841, 845-46 (4th Cir. 1985)

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