

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Maurio Daetrel Rivers v. Bryan P. Stirling, SCDC Director; Arenda
Thomas, LCI Associate Warden; Lt. Vernon Adams, SCDC/CERT
Officer

Rivers v. Stirling · No. 4:25-cv-13951-BHH · Decided March 26, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted a magistrate judge’s report and recommendation in a pro se action under 42 U.S.C. § 1983. The court dismissed Bryan Stirling without prejudice, dismissed all claims other than the excessive-force haircut claims against Vernon Adams and Arenda Thomas, and denied the plaintiff’s motions for a temporary injunction.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Bruce H. Hendricks
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	March 26, 2026
DOCKET	4:25-cv-13951-BHH
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a pro se action under 42 U.S.C. § 1983. After referral, a magistrate judge recommended partial dismissal, dismissal of certain defendants and claims without prejudice, and denial of motions for temporary injunction. No objections were filed, and the district court reviewed the recommendation for clear error.
STANDARD OF REVIEW	In the absence of specific objections to a magistrate judge's report and recommendation, the district court reviews the recommendation for clear error on the face of the record; specific objections would require de novo review of the challenged portions.
PRECEDENTIAL VALUE	Nonprecedential district court order

PARTIES

Maurio Daetrel Rivers v. Bryan P. Stirling, SCDC Director, Arenda Thomas, LCI Associate Warden, Lt. Vernon Adams, SCDC/CERT Officer

TOPICS

section 1983 prisoners rights civil rights injunctions civil procedure

PRACTICE AREAS

prisoner civil rights federal civil procedure injunctive relief

QUESTIONS PRESENTED

1. Whether the magistrate judge's report and recommendation should be accepted when no party filed specific objections.
2. Whether Plaintiff's complaint should be partially dismissed without prejudice, including dismissal of Bryan Stirling and claims unrelated to the alleged excessive-force haircut incident.
3. Whether Plaintiff's motions for temporary injunction should be denied.

HOLDINGS

1. When no specific objections are filed, the district court reviews the magistrate judge's recommendation for clear error rather than conducting de novo review.
2. The complaint was properly partially dismissed without prejudice: Bryan Stirling was dismissed without issuance and service of process, and all claims other than the claims against Adams and Thomas concerning the alleged excessive-force haircut incident were dismissed.
3. Plaintiff's motions for temporary injunction were denied.

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.'" (at 2)

FACTUAL BACKGROUND

Maurio Daetrel Rivers, a prisoner proceeding pro se, filed a complaint under 42 U.S.C. § 1983 against South Carolina Department of Corrections officials. His claims included allegations concerning an excessive-force haircut incident, as well as other claims against the defendants. He also filed motions for temporary injunction.

PROCEDURAL HISTORY

The magistrate judge recommended summarily dismissing Bryan Stirling without prejudice and without issuance and service of process, allowing service on Arenda Thomas and Lt. Vernon Adams only as to claims concerning an alleged excessive-force haircut incident, dismissing the remaining claims without prejudice, and denying

Plaintiff's motions for temporary injunction. Plaintiff filed no objections. The district court found no clear error, adopted and incorporated the report and recommendation, partially dismissed the complaint, and denied the injunction motions.

DISPOSITION

other

CASES CITED

- Mathews v. Weber, 423 U.S. 261 (1976)
- Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA
Maurio Daetrel Rivers, #232669,)) Plaintiff,)) Civil Action No. 4:25-cv-13951-BHH v.))
ORDER Bryan P. Stirling, SCDC Director;) Arenda Thomas, LCI Associate Warden;) Lt. Vernon
Adams, SCDC/CERT Officer,)) Defendants.) _____) This
matter is before the Court upon Plaintiff Maurio Daetrel Rivers' ("Plaintiff") pro se complaint filed pursuant to 42 U.S.C. § 1983.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B), D.S.C., the matter was referred to a United States Magistrate Judge for preliminary review. On March 2, 2026, the Magistrate Judge issued a report and recommendation ("Report"), outlining the issues and recommending that the Court partially dismiss Plaintiff's complaint. (ECF No. 28.) Specifically, the Magistrate Judge recommends that the Court summarily dismiss Defendant Bryan Stirling without prejudice and without issuance and service of process.

(Id.) In a separately docketed order, the Magistrate Judge authorized the issuance and service of process as to the other Defendants, only as to Plaintiff's claims involving the alleged excessive force haircut incident. Otherwise, the Magistrate Judge recommends that the Court dismiss all remaining claims without prejudice and deny Plaintiff's motions for temporary injunction (ECF Nos. 16, 24).

(See ECF No. 28 at 6.) Attached to the Magistrate Judge's Report was a notice advising Plaintiff of the right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. Mathews v. Weber, 423 U.S. 261 (1976).

The Court is charged with making a de novo determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

In the absence of specific objections, the Court reviews the matter only for clear error. 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.’”) (quoting Fed.

R. Civ. P. 72 advisory committee’s note). Here, because no objections have been filed, the Court has reviewed the record, the applicable law, and the findings of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge’s analysis.

Accordingly, the Court adopts and incorporates the Magistrate Judge’s Report (ECF No. 28), and the Court partially dismisses Plaintiff’s complaint. Specifically, the Court dismisses Defendant Stirling without prejudice and without issuance and service of process, and the Court dismisses without prejudice all of Plaintiff’s claims other than his claims against Defendants Adams and Thomas involving the alleged excessive haircut incident.

Additionally, the Court denies Plaintiff’s motions for temporary 2 injunction (ECF Nos. 16, 24).
IT IS SO ORDERED. /s/Bruce H. Hendricks United States District Judge March 26, 2026
Charleston, South Carolina 3