

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

**Cory Dewayne McNeal v. Tara Warren, Jude Onuoha, and Mr.
Andres**

McNeal · No. 8:25-cv-13128-JFA-WSB · Decided February 20, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted a Magistrate Judge's Report and Recommendation and dismissed Cory Dewayne McNeal's civil action without prejudice. The dismissal was based on failure to prosecute under Federal Rule of Civil Procedure 41 after McNeal failed to amend his complaint and failed to file objections to the Report.

OPINION

IN THE UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA Cory Dewayne McNeal, C/A No. 8:25-cv-13128-JFA-WSB Plaintiff, v. ORDER Tara Warren, Jude Onuoha, Mr. Andres, Defendants. Plaintiff Cory Dewayne McNeal, proceeding pro se, filed this civil action against the above-named Defendants.

In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.), the case was referred to the Magistrate Judge for initial review. After performing an initial review of the complaint pursuant to 28 U.S.C. 1915, the Magistrate Judge issued an order notifying Plaintiff that his complaint was subject to summary dismissal and directing Plaintiff to file an amended complaint to cure deficiencies within his earlier filings.

(ECF No. 16). The order warned Plaintiff that his failure to comply with the order within the time permitted would subject his case to summary dismissal. Plaintiff did not respond to that order. Thereafter, the Magistrate Judge prepared a thorough Report and Recommendation¹ ("Report"). (ECF No. 19). Within the Report, the Magistrate Judge opines the Complaint 1 The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.).

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. *Mathews v. Weber*, 423 U.S. 261 (1976). is subject to dismissal for failure to prosecute pursuant to Federal Rule of Civil Procedure 41. *Id.* The Report sets forth, in detail, the relevant facts and standards of law on this matter, and this Court incorporates those facts and standards without a recitation.

Plaintiff was advised of his right to object to the Report, which was entered on the docket on January 9, 2026. *Id.* The Magistrate Judge required Plaintiff to file objections by January 23, 2026. *Id.* Plaintiff failed to file objections.

Thus, this matter is ripe for review. A district court is only required to conduct a *de novo* review of the specific portions of the Magistrate Judge's Report to which an objection is made. See 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b); *Carniewski v. W. Virginia Bd. of Prob. & Parole*, 974 F.2d 1330 (4th Cir. 1992).

In the absence of specific objections to portions of the Magistrate's Report, this Court is not required to give an explanation for adopting the recommendation. See *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

Here, Plaintiff has failed to raise any objections and therefore this Court is not required to give an explanation for adopting the recommendation. A review of the Report and prior orders indicates that the Magistrate Judge correctly concluded that Plaintiff's Complaint is subject to dismissal pursuant to Rule 41.

After carefully reviewing the applicable laws, the record in this case, and the Report, this Court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law.

Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation and incorporates it herein by reference. (ECF No. 19). Consequently, this action is dismissed without prejudice, without further leave to amend, and without issuance and service of process. IT IS SO ORDERED. Dptoge 5 Comabsem gp February 20, 2026 Joseph F. Anderson, Jr. Columbia, South Carolina United States District Judge