

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Randall Todd Smith v. M. V. Joseph, Warden

Smith v. Joseph · No. 0:25-cv-00708-JDA · Decided January 6, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted the magistrate judge’s Report and Recommendation and granted the respondent’s motion for summary judgment in a pro se prisoner’s 28 U.S.C. § 2241 habeas petition. The court concluded that the petitioner had not produced evidence showing that the Bureau of Prisons incorrectly calculated his sentence and denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Jacquelyn D. Austin
JURISDICTION	United States District Court for the District of South Carolina, Rock Hill Division
DECIDED	January 6, 2026
DOCKET	0:25-cv-00708-JDA
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241. Respondent moved to dismiss or, alternatively, for summary judgment. After the magistrate judge recommended granting summary judgment and neither party objected, the district court reviewed the recommendation for clear error and adopted it.
STANDARD OF REVIEW	In the absence of specific objections to the magistrate judge's report and recommendation, the district court reviews the report for clear error. The court makes a de novo determination of portions to which specific objections are made.
PRECEDENTIAL VALUE	Unknown; district court opinion with no reporter citation
PARTIES	Randall Todd Smith v. M. V. Joseph, Warden

TOPICS

federal habeas corpus

summary judgment

post-conviction relief

civil procedure

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Federal civil procedure

QUESTIONS PRESENTED

1. Whether the magistrate judge's recommendation to grant Respondent's motion for summary judgment contained clear error when neither party filed objections.
2. Whether Smith produced evidence sufficient to create a triable issue that the Bureau of Prisons incorrectly calculated his sentence.
3. Whether Smith was entitled to a certificate of appealability.

HOLDINGS

1. When no timely 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.
2. Summary judgment should be granted because Smith failed to produce evidence from which a factfinder could reasonably conclude that the Bureau of Prisons incorrectly calculated his sentence.
3. A certificate of appealability should not issue because Smith did not make the required substantial showing of the denial of a constitutional right.

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" (Opinion and Order text; citing *Diamond*, 416 F.3d at 315)

"Accordingly, Respondent's motion for summary judgment [Doc. 25] is GRANTED." (Conclusion)

FACTUAL BACKGROUND

Smith, a pro se state prisoner, challenged the Bureau of Prisons' calculation of his sentence through a petition under 28 U.S.C. § 2241. He opposed Respondent's motion to dismiss or for summary judgment but did not produce evidence sufficient to allow a factfinder reasonably to conclude that the Bureau of Prisons had incorrectly calculated his sentence.

PROCEDURAL HISTORY

The Clerk docketed Smith's § 2241 petition on February 7, 2025. Respondent moved to dismiss or for summary judgment, and Smith filed a response. The magistrate judge recommended granting the motion because Smith failed to produce evidence from which a factfinder could reasonably conclude that the Bureau of Prisons incorrectly calculated his sentence. With no objections filed, the district court reviewed the recommendation for clear error, accepted it, granted summary judgment, and denied a certificate of appealability.

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)
- Slack v. McDaniel, 529 U.S. 473, 484–85 (2000)
- Miller-El v. Cockrell, 537 U.S. 322, 336–38 (2003)

OPINION

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF SOUTH CAROLINA ROCK HILL DIVISION Randall Todd Smith,) Case No. 0:25-cv-00708-JDA)
Petitioner,)) v.) OPINION AND ORDER) M. V. Joseph, Warden,)) Respondent.) This matter
is before the Court on Defendant’s motion to dismiss, or in the alternative, for summary judgment.
[Doc. 25.]

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 Paige J. Gossett for pre-trial proceedings. On February 7, 2025, the Clerk docketed a petition for writ of habeas corpus filed by a pro se state prisoner pursuant to 28 U.S.C. § 2241. [Doc. 1.]

On July 1, 2025, Respondent filed a motion to dismiss, or in the alternative, for summary judgment. [Doc. 25.] On July 21, 2025, the Clerk docketed Petitioner’s response opposing the motion. [Doc. 29.] On December 3, 2025, the Magistrate Judge issued a Report and Recommendation (“Report”) recommending that the motion be granted because Petitioner failed to produce evidence from which a factfinder could reasonably conclude that the Bureau of Prisons incorrectly calculated his sentence.

[Doc. 31 at 5–6.] 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 8.] Neither party 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, Respondent’s motion for summary judgment [Doc. 25] is GRANTED. CERTIFICATE OF APPEALABILITY “The district court must issue or deny a certificate of appealability when it enters a final order adverse to the applicant.” Rule 11(a) of the Rules Governing Section 2254 Cases; see Rule 1(b) of the Rules Governing Section 2254 Cases (stating that a district court may apply these rules to a habeas petition not filed pursuant to § 2254).

A certificate of appealability will not issue absent “a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). When the district court denies relief on the merits, a petitioner satisfies this standard by demonstrating that reasonable jurists would find that the court’s assessment of the constitutional claims is debatable or wrong.

Slack v. McDaniel, 529 U.S. 473, 484 (2000); see *Miller-El v. Cockrell*, 537 U.S. 322, 336–38 (2003). When the district court denies relief on procedural grounds, the prisoner must demonstrate both that the dispositive procedural ruling is debatable, and that the petition states a debatable claim of the denial of a constitutional right. *Slack*, 529 U.S. at 484–85.

In this case, the legal standard for the issuance of a certificate of appealability has not been met. IT IS SO ORDERED. s/ Jacquelyn D. Austin United States District Judge January 5, 2026 Columbia, South Carolina