

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

Devin Bailey v. Officer Christopher L. Lee and Greenville County

Bailey · No. 6:25-cv-06567-JDA-WSB · Decided March 16, 2026

SUMMARY

This Report and Recommendation addresses Greenville County’s motion to dismiss and Devin Bailey’s motion for summary judgment in a pro se action under 42 U.S.C. § 1983. The claims arise from a traffic stop by a South Carolina Highway Patrol officer and alleged constitutional violations during related summary-court proceedings; the document analyzes whether Greenville County is a proper defendant and whether the allegations satisfy § 1983 and Monell pleading standards.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Greenville Division
WRITING FOR THE COURT	William S. Brown, United States Magistrate Judge
JURISDICTION	United States District Court for the District of South Carolina, Greenville Division
DECIDED	March 16, 2026
DOCKET	6:25-cv-06567-JDA-WSB
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on Greenville County's motion to dismiss the amended complaint under Federal Rule of Civil Procedure 12(b) (6) and Plaintiff's motion for summary judgment under Rule 56 in a removed 42 U.S.C. § 1983 action.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded facts as true, draws reasonable inferences for the plaintiff, and determines whether the complaint states a plausible claim for relief. Pro se pleadings are liberally construed, but the court may not construct legal arguments or conjure claims not fairly presented. Summary judgment is proper when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law; the movant bears the initial burden, and the nonmovant must identify specific evidence showing a genuine issue.

PRECEDENTIAL VALUE	nonprecedential
PARTIES	Devin Bailey v. Officer Christopher L. Lee, Greenville County

TOPICS

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QUESTIONS PRESENTED

1. Whether Greenville County is a proper defendant for claims based on the conduct of the East Greenville Summary Court, a component of South Carolina's unified judicial system.
2. Whether Greenville County is liable under 42 U.S.C. § 1983 for alleged constitutional violations by South Carolina Highway Patrol Officer Lee.
3. Whether the amended complaint plausibly alleges a municipal policy or custom attributable to Greenville County and causally connected to a constitutional deprivation under Monell.
4. Whether Plaintiff was entitled to summary judgment because Greenville County sought an extension of time to file dispositive motions and because Plaintiff claimed to rely on deposition testimony.

HOLDINGS

1. The claims against Greenville County based on the operation or conduct of the East Greenville Summary Court fail because the summary court is part of South Carolina's unified judicial system, not a Greenville County entity, and the State and its integral parts are protected by Eleventh Amendment immunity.
2. Greenville County is not liable for Officer Lee's alleged traffic-stop conduct because Officer Lee was alleged to be employed by the South Carolina Highway Patrol, an arm of the State rather than a Greenville County agency.
3. Plaintiff failed to state a municipal-liability claim because he did not identify an official policy or custom attributable to Greenville County that proximately caused a constitutional deprivation.
4. Plaintiff was not entitled to summary judgment because Greenville County's motion for an extension of time did not establish entitlement to judgment, and Plaintiff submitted no deposition transcript or other evidence supporting his motion.

KEY QUOTATIONS

“To state a claim under § 1983, a plaintiff must allege two elements: (1) that a right secured by the Constitution or laws of the United States was violated and (2) that the alleged violation was committed by a person acting under the color of state law.” (at 7)

“Municipalities or local governments cannot be held liable solely because it employs a tortfeasor, or in other words, a municipality cannot be held liable under § 1983 on a respondeat superior theory.” (at 13-14)

FACTUAL BACKGROUND

Plaintiff alleged that South Carolina Highway Patrol Officer Christopher L. Lee conducted an August 14, 2023, traffic stop, threatened him with arrest, prolonged the stop by asking questions beyond the stated traffic offense, issued a following-too-closely ticket, and confiscated his driver's license. Plaintiff further alleged that the East Greenville Summary Court delayed adjudication of the ticket, denied him counsel unless he paid fees, and violated his speedy-trial and confrontation rights; the charge was eventually dismissed after Officer Lee failed to appear. Plaintiff asserted that Greenville County was liable for the summary court's conduct and Officer Lee's conduct, but did not identify a Greenville County policy or custom causing a constitutional violation.

PROCEDURAL HISTORY

The action was removed from the Greenville County Court of Common Pleas on July 1, 2025. The district court previously dismissed the East Greenville Summary Court and South Carolina Highway Patrol as defendants with prejudice and later authorized Plaintiff to file an amended complaint adding Greenville County. Greenville County moved to dismiss, and Plaintiff moved for summary judgment. The magistrate judge recommended granting Greenville County's motion to dismiss and denying Plaintiff's motion for summary judgment.

DISPOSITION

other

CASES CITED

- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Loe v. Armistead, 582 F.2d 1291, 1295 (4th Cir. 1978)
- Gordon v. Leeke, 574 F.2d 1147, 1151 (4th Cir. 1978)
- Barnett v. Hargett, 174 F.3d 1128, 1133 (10th Cir. 1999)
- Small v. Endicott, 998 F.2d 411, 417-18 (7th Cir. 1993)
- Beaudett v. City of Hampton, 775 F.2d 1274, 1278 (4th Cir. 1985)
- Albright v. Oliver, 510 U.S. 266, 271 (1994)
- Baker v. McCollan, 443 U.S. 137, 144 n.3 (1979)
- Rehberg v. Paulk, 566 U.S. 356, 361 (2012)
- West v. Atkins, 487 U.S. 42, 48 (1988)
- Williams v. Preiss-Wal Pat III, LLC, 17 F. Supp. 3d 528, 531 (D.S.C. 2014)
- Edwards v. City of Goldsboro, 178 F.3d 231, 243 (4th Cir. 1999)
- Nanni v. Aberdeen Marketplace, Inc., 878 F.3d 447, 452 (4th Cir. 2017)
- Nemet Chevrolet, Ltd. v. Consumeraffairs.com, Inc., 591 F.3d 250, 253 (4th Cir. 2009)

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248, 252, 257 (1986)
- United States v. Diebold, Inc., 369 U.S. 654, 655 (1962)
- Celotex Corp. v. Catrett, 477 U.S. 317, 324-25 (1986)
- Guidetti v. County of Greenville, 2011 WL 5024287, at *6 (D.S.C. Sept. 12, 2011)
- Hicks v. Berkeley County, 2026 WL 288374, at *5 (D.S.C. Jan. 14, 2026)
- Tisdale v. South Carolina Highway Patrol, 2009 WL 1491409, at *1 n.1 (D.S.C. May 27, 2009), *aff'd*, 347 F. App'x 965 (4th Cir. Aug. 27, 2009)
- Hagood v. SC Highway Patrol, 2020 WL 1893504, at *3 (D.S.C. Mar. 25, 2020)
- Kemmerlin v. Heartline, 2010 WL 4340409, at *5 (D.S.C. Oct. 1, 2010)
- Steele v. Bodiford, 2025 WL 1019429, at *3-4 (D.S.C. Feb. 13, 2025)
- Fleming v. Greenville County, SC, 2014 WL 346524, at *4 (D.S.C. Jan. 24, 2014)
- Monell v. Department of Social Services, 436 U.S. 658, 690-96 (1978)
- Johnson v. Baltimore City, Md., 163 F.4th 808, 821-22 (4th Cir. 2026)
- Howard v. City of Durham, 68 F.4th 946, 952 (4th Cir. 2023)
- Hendricks v. Greenville County, 2026 WL 228887, at *5 (D.S.C. Jan. 9, 2026)
- Wambach v. Wright, 2011 WL 1597660, at *4 (D.S.C. Feb. 7, 2011)
- Misjuns v. City of Lynchburg, 139 F.4th 378, 385-86 (4th Cir. 2025)
- Spell v. McDaniel, 824 F.2d 1380, 1390 (4th Cir. 1987)
- Milligan v. City of Newport News, 743 F.2d 227, 229-30 (4th Cir. 1984)
- Greensboro Professional Fire Fighters Ass'n, Local 3157 v. Greensboro, 64 F.3d 962, 966 (4th Cir. 1995)
- Kopf v. Wing, 942 F.2d 265, 269 (4th Cir. 1991)
- Booker v. City of Lynchburg, 2020 WL 4209057, at *8-9 (W.D. Va. July 22, 2020)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310 (4th Cir. 2005)
- Thomas v. Arn, 474 U.S. 140 (1985)
- Wright v. Collins, 766 F.2d 841 (4th Cir. 1985)
- United States v. Schronce, 727 F.2d 91 (4th Cir. 1984)