

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, RICHMOND DIVISION

Christopher Lumpkin v. Daugherty

Lumpkin · No. 3:23-cv-80-HEH · Decided December 22, 2025

SUMMARY

The United States District Court for the Eastern District of Virginia adopts a magistrate judge's Report and Recommendation in a § 1983 action brought by Virginia inmate Christopher Lumpkin against former corrections officer Daugherty. The court grants default judgment, awards \$3,000 in compensatory and punitive damages, and dismisses the action.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Richmond Division
WRITING FOR THE COURT	Henry E. Hudson
JURISDICTION	United States District Court for the Eastern District of Virginia, Richmond Division
DECIDED	December 22, 2025
DOCKET	3:23-cv-80-HEH
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff moved for default judgment after the Clerk entered default against Defendant. The court reviewed and adopted the Magistrate Judge's Report and Recommendation, granted default judgment, awarded damages, and dismissed the action.
STANDARD OF REVIEW	Under 28 U.S.C. § 636(b)(1), the district court conducts de novo review of portions of a magistrate judge's report and recommendation to which a specific objection is made; absent a specific written objection, the court may adopt the recommendation without conducting de novo review.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion

TOPICS

- default judgment
- default
- section 1983
- cruel and unusual punishment
- prisoners rights

PRACTICE AREAS

civil procedure

civil rights

prisoners rights

constitutional law

remedies

QUESTIONS PRESENTED

1. Whether the district court should adopt the Magistrate Judge's Report and Recommendation when no objections were filed.
2. Whether Plaintiff was entitled to default judgment and an award of damages on his § 1983 Eighth Amendment claim.

HOLDINGS

1. Because Lumpkin filed no specific written objections, the court accepted and adopted the Magistrate Judge's Report and Recommendation without conducting de novo review.
2. The court granted Lumpkin's motion for default judgment and awarded him \$3,000 against Daugherty, consisting of \$2,000 in compensatory damages and \$1,000 in punitive damages.

KEY QUOTATIONS

"The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court."

"There being no objections, the Report and Recommendation (ECF No. 78) will be accepted and adopted."

FACTUAL BACKGROUND

Christopher Lumpkin, a Virginia inmate, alleged that former Sussex I State Prison corrections officer Daugherty subjected him to cruel and unusual punishment in violation of the Eighth Amendment. After default was entered against Daugherty, the Magistrate Judge held an evidentiary hearing and found that Lumpkin had sufficiently proven damages of \$2,000 in compensatory damages and \$1,000 in punitive damages.

PROCEDURAL HISTORY

Lumpkin, a Virginia inmate proceeding pro se, filed a 42 U.S.C. § 1983 action against Daugherty alleging an Eighth Amendment violation. The Clerk entered default on January 27, 2025. Following an evidentiary hearing, the Magistrate Judge recommended awarding \$3,000 in damages. Lumpkin filed no objections, and the district court adopted the recommendation, granted the motion for default judgment, awarded \$3,000, and dismissed the action.

DISPOSITION

dismissed

CASES CITED

- Estrada v. Witkowski, 816 F. Supp. 408, 410 (D.S.C. 1993)

- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)
- Thomas v. Arn, 474 U.S. 140, 147 (1985)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 316 (4th Cir. 2005)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division CHRISTOPHER LUMPKIN,) Plaintiff, v. Civil Action No. 3:23-cv-80-HEH
DAUGHERTY, Defendant. MEMORANDUM OPINION (Adopting Report and Recommendation
and Dismissing Action) Christopher Lumpkin, a Virginia inmate proceeding pro se, brings this
action under 42 U.S.C. § 1983, alleging that Defendant Daugherty, a former corrections officer at
Sussex I State Prison, violated his Eighth Amendment rights by subjecting him to cruel and
unusual punishment.

The Clerk entered default against Defendant Daugherty on January 27, 2025. (ECF No. 50.)
Plaintiff then moved for default judgment. (ECF No. 61.) The undersigned referred this matter to
the Magistrate Judge for a Report and Recommendation on the Motion for Default Judgment,
pursuant to 28 U.S.C. § 636(b)(1)(B), specifically to determine Lumpkin’s damages and to assess
whether Lumpkin properly set forth the requisite factual and legal basis for the Court’s subject
matter jurisdiction, personal jurisdiction, and venue.

(ECF No. 49.) On October 3, 2025, United States Magistrate Judge Mark Colombell held an
evidentiary hearing. On November 25, 2025, the Magistrate Judge issued a Report and
Recommendation (ECF No. 78) recommending that Lumpkin had sufficiently proven his damages
and recommending that the Court enter judgment for Lumpkin in the amount of \$3,000, consisting
of \$2,000 in compensatory damages and \$1,000 in punitive damages.

(Id. at 2.) The Magistrate Judge advised Lumpkin that he could file objections within fourteen (14)
days after the entry of the Report and Recommendation. Lumpkin has not responded. “The
magistrate makes only a recommendation to this court.

The recommendation has no presumptive weight, and the responsibility to make a final
determination remains with this court.” *Estrada v. Witkowski*, 816 F. Supp. 408, 410 (D.S.C. 1993)
(citing *Mathews v. Weber*, 423 U.S. 261, 270-71 (1976)). This Court “shall make a de novo
determination of those portions of the report or specified proposed findings or recommendations to
which objection is made.” 28 U.S.C. § 636(b)(1). “The filing of objections to a magistrate’s report
enables the district judge to focus attention on those issues—factual and legal—that are at the
heart of the parties’ dispute.” *Thomas v. Arn*, 474 U.S. 140, 147 (1985).

In the absence of a specific written objection, this Court may adopt a magistrate judge’s
recommendation without conducting a de novo review. See *Diamond y. Colonial Life & Accident*

Ins. Co., 416 F.3d 310, 316 (4th Cir. 2005). There being no objections, the Report and Recommendation (ECF No. 78) will be accepted and adopted.

The Motion for Default Judgment (ECF No. 61) will be granted. The Court awards Lumpkin \$3,000 in damages against Defendant Daugherty. The action will be dismissed. An appropriate Order will accompany this Memorandum Opinion. AeA, Henry E. Hudson Date* Dec. 22, 2025
Senior United States District Judge Richmond, Virginia