

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Phillip Reeves v. Nurse Collins and Nurse Evans

Reeves · No. 0:25-cv-13502-CMC · Decided March 31, 2026

SUMMARY

The court adopts the magistrate judge’s Report and Recommendation after Plaintiff failed to file objections. The action is dismissed without prejudice and without issuance and service of process.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Cameron McGowan Currie
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	March 31, 2026
DOCKET	0:25-cv-13502-CMC
DISPOSITION	dismissed
PROCEDURAL POSTURE	The plaintiff's complaint was referred to a magistrate judge for pretrial proceedings. The magistrate judge recommended dismissal without prejudice and without issuance and service of process. After the plaintiff failed to object, the district court reviewed the recommendation for clear error, adopted it, and dismissed the action.
STANDARD OF REVIEW	In the absence of a timely specific objection to a magistrate judge's report and recommendation, the district court reviews the report for clear error rather than conducting de novo review.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown and not established by the opinion.
PARTIES	Phillip Reeves v. Nurse Collins, Nurse Evans

TOPICS

- civil procedure
- section 1983
- civil rights
- prisoners rights

PRACTICE AREAS

- civil rights
- prison conditions
- federal civil procedure

QUESTIONS PRESENTED

1. What standard of review applies when a party fails to object to a magistrate judge's report and recommendation?
2. Whether the magistrate judge's recommendation to dismiss the action without prejudice and without issuance and service of process should be adopted.

HOLDINGS

1. When no timely objection is filed, the district court need only review the report and recommendation for clear error on the face of the record, rather than conduct a de novo review.
2. The court adopted the Report and Recommendation and dismissed the matter without prejudice and without issuance and service of process.

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.” (315)

FACTUAL BACKGROUND

Phillip Reeves filed a complaint against Nurse Collins and Nurse Evans. The opinion does not resolve the factual merits of the claims; it addresses the magistrate judge's recommendation that the action be dismissed without prejudice and without issuance and service of process after the plaintiff failed to object.

PROCEDURAL HISTORY

Plaintiff filed his complaint on November 21, 2025. The matter was referred under 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(d), D.S.C., and Magistrate Judge Paige J. Gossett issued a Report and Recommendation on March 11, 2026, recommending dismissal without prejudice and without issuance and service of process. Plaintiff filed no objections, and the district court found no clear error, adopted the Report by reference, and dismissed the matter.

DISPOSITION

dismissed

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

Reeves

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Phillip Reeves, Civil Action No. 0:25-cv-13502-CMC Plaintiff, vs. ORDER Nurse Collins, Nurse Evans, Defendants. This matter is before the court on Plaintiff's Complaint filed November 21, 2025. Dkt. No.

1. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(d), D.S.C., the matter was referred to United States Magistrate Judge Paige J. Gossett for pre-trial proceedings. On March 11, 2026, the Magistrate Judge entered a Report and Recommendation ("Report") recommending this matter be dismissed without prejudice and without issuance and service of process. Dkt. No. 13. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Plaintiff failed to file objections, and the time to do so has expired. 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 (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 is required to review the Report only for clear error in the absence of an objection. 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.") (citation omitted). After a review of the record, the applicable law, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error, and agrees this matter should be dismissed. Accordingly, the court adopts the Report by reference in this Order. This matter is dismissed without prejudice and without issuance and service of process. IT IS SO ORDERED. s/Cameron McGowan Currie

CAMERON MCGOWAN CURRIE

Senior United States District Judge Columbia, South Carolina March 31, 2026 2