

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

Tyleek Rayquaun Johnson v. Shana Peeler, Capt. Hayes, Mrs. Lucy,
Ashley Hunt, Kathy White, A. Roach

Johnson v. Peeler · No. 5:25-cv-03379-JDA · Decided April 28, 2026

SUMMARY

The United States District Court for the District of South Carolina adopted the magistrate judge’s Report and Recommendation and dismissed Tyleek Rayquaun Johnson’s pro se civil action with prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b). The court found the defendants’ motions to seal and for summary judgment moot and notified the parties of their right to appeal.

CASE DETAILS

COURT	United States District Court for the District of South Carolina, Orangeburg Division
WRITING FOR THE COURT	Jacquelyn D. Austin
JURISDICTION	United States District Court for the District of South Carolina, Orangeburg Division
DECIDED	April 28, 2026
DOCKET	5:25-cv-03379-JDA
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's unobjected-to Report and Recommendation recommending dismissal with prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b).
STANDARD OF REVIEW	Clear-error review of an unobjected-to magistrate judge's Report and Recommendation; specific objections would have triggered de novo review under 28 U.S.C. § 636(b).
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Tyleek Rayquaun Johnson v. Shana Peeler, Capt. Hayes, Mrs. Lucy, Ashley Hunt, Kathy White, A. Roach

TOPICS

prisoners rights

section 1983

summary judgment

civil procedure

PRACTICE AREAS

civil rights

prisoner civil rights

civil procedure

QUESTIONS PRESENTED

1. Whether the district court should accept an unobjected-to magistrate judge's recommendation after reviewing it for clear error.
2. Whether the action should be dismissed with prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b).
3. Whether Defendants' motions to seal and for summary judgment remained pending after dismissal for failure to prosecute.

HOLDINGS

1. When no timely objection is filed, the district court need not conduct de novo review and instead must satisfy itself that no clear error appears on the face of the record before accepting the recommendation.
2. The action was properly dismissed with prejudice for failure to prosecute under Federal Rule of Civil Procedure 41(b) after Plaintiff repeatedly failed to respond to the summary-judgment motion and failed to comply with the court's directive to respond.
3. After dismissing the action with prejudice for failure to prosecute, the court found Defendants' motion to seal and motion for summary judgment moot.

KEY QUOTATIONS

"The Court will review the Report only for clear error in the absence of an objection."

"Accordingly, this action is summarily DISMISSED with prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure."

FACTUAL BACKGROUND

Plaintiff filed a pro se complaint alleging claims arising from his incarceration or prison conditions. Defendants moved for summary judgment and to seal filings. Despite a Roseboro notice and a subsequent court order extending an opportunity to respond, Plaintiff failed to timely respond or otherwise indicate that he wished to continue prosecuting the case.

PROCEDURAL HISTORY

Plaintiff filed a pro se civil-rights complaint on April 22, 2025. Defendants moved to seal and for summary judgment, and the magistrate judge twice advised Plaintiff of the need to respond and directed him to file a response. Plaintiff did not timely respond. The magistrate judge recommended summary dismissal with prejudice for failure to prosecute. With no objections filed, the district court reviewed the recommendation for clear error, adopted it, and dismissed the action with prejudice, finding Defendants' motions moot.

DISPOSITION

dismissed

CASES CITED

- Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975)
- Mathews v. Weber, 423 U.S. 261, 270-71 (1976)
- Diamond v. Colonial Life & Accident Insurance Co., 416 F.3d 310, 315 (4th Cir. 2005)

OPINION

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF SOUTH CAROLINA ORANGEBURG DIVISION Tyleek Rayquaun Johnson,) Case No. 5:25-cv-03379-JDA) Plaintiff,)) v.) OPINION AND ORDER) Shana Peeler, Capt Hayes, Mrs Lucy,) Ashley Hunt, Kathy White, A Roach,)) Defendants.) This matter is before the Court on Plaintiff's Complaint and Defendants' motions to seal and for summary judgment.

[Docs. 1; 61; 62.] 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 Kaymani D. West for pre-trial proceedings. Plaintiff's pro se Complaint was entered on the docket on April 22, 2025. [Doc. 1.]

On December 30, 2025, Defendants filed motions to seal and for summary judgment. [Docs. 61; 62.] The Magistrate Judge issued an Order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising Plaintiff of the importance of the motion for summary judgment and the need for Plaintiff to file an adequate response. [Doc. 63.] Nevertheless, Plaintiff failed to timely respond to the motion.

On February 18, 2026, the Magistrate Judge issued an Order directing Plaintiff to advise the Court whether he wished to continue with the case and ordering Plaintiff to file a response to Defendants' motion for summary judgment by March 19, 2026. [Doc. 70.] Plaintiff again failed to file a timely response to the motion.

On March 30, 2026, the Magistrate Judge issued a Report and Recommendation ("Report") recommending that Plaintiff's Complaint be summarily dismissed with prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. [Doc. 72.]

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 3.] No party has 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, this action is summarily DISMISSED with prejudice for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. As a result, Defendants’ motion to seal [Doc. 61] and motion for summary judgment [Doc. 62] are FOUND AS MOOT. IT IS SO ORDERED. s/ Jacquelyn D. Austin United States District Judge April 28, 2026 Columbia, South Carolina NOTICE OF RIGHT TO APPEAL The parties are hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.