

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Sean Goins v. Director Ray

Goins · No. 5:25-cv-02195-TMC · Decided March 20, 2026

SUMMARY

The United States District Court for the District of South Carolina adopts in part a magistrate judge’s Report and Recommendation in Sean Goins’s 42 U.S.C. § 1983 action. The court dismisses the action without prejudice for failure to prosecute and dismisses the defendant’s motion for summary judgment as moot.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Timothy M. Cain
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	March 20, 2026
DOCKET	5:25-cv-02195-TMC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff brought a pro se, in forma pauperis action under 42 U.S.C. § 1983. After Plaintiff failed to respond to Defendant's summary-judgment motion or to the magistrate judge's extended deadline and Report and Recommendation, the district court reviewed the recommendation for clear error and dismissed the action without prejudice.
STANDARD OF REVIEW	In the absence of specific objections to a magistrate judge's Report and Recommendation, the district court need only determine whether there is clear error on the face of the record. Specific objections would require de novo review of the challenged portions.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Sean Goins v. Director Ray

TOPICS

- section 1983
- summary judgment
- civil procedure

PRACTICE AREAS

civil rights

civil procedure

prisoner litigation

QUESTIONS PRESENTED

1. Whether the district court should accept the magistrate judge's recommendation after Plaintiff failed to file specific objections.
2. Whether the action should be dismissed for Plaintiff's failure to prosecute and failure to respond to the court's orders.
3. Whether the dismissal should be with or without prejudice.
4. Whether Defendant's pending motion for summary judgment remained justiciable after dismissal of the action.

HOLDINGS

1. When no timely specific objections are filed, the district court need not conduct de novo review and may accept the recommendation after satisfying itself that there is no clear error on the face of the record.
2. The action was properly dismissed for Plaintiff's failure to prosecute after he failed to respond to the summary-judgment motion, the magistrate judge's additional deadline, and the Report and Recommendation.
3. The action was dismissed without prejudice rather than with prejudice.
4. Defendant's motion for summary judgment was dismissed as moot after the action itself was dismissed.

KEY QUOTATIONS

"The magistrate judge's recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court."

"Accordingly, the court DISMISSES this action without prejudice."

"The defendant's motion for summary judgment (ECF No. 36) is hereby DISMISSED AS MOOT."

FACTUAL BACKGROUND

Sean Goins filed a pro se § 1983 action while proceeding in forma pauperis. Defendant Director Ray filed a motion for summary judgment, and the court warned Goins of the response requirements and consequences under *Roseboro v. Garrison*. Goins filed no response by the deadline and failed to respond after receiving additional time and notice that dismissal for failure to prosecute would be recommended; the Report and Recommendation was also returned as undeliverable.

PROCEDURAL HISTORY

The matter was referred to a magistrate judge for pretrial handling under 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2)(e). Defendant moved for summary judgment, but Plaintiff did not respond despite a *Roseboro* notice and an additional opportunity to respond. The magistrate judge recommended dismissal with prejudice for

failure to prosecute. The district court found no clear error, adopted the recommendation in part, modified the dismissal to be without prejudice, and dismissed the summary-judgment motion as moot.

DISPOSITION

dismissed

CASES CITED

- Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975)
- Wimmer v. Cook, 774 F.2d 68, 72 (4th Cir. 1985)
- Mathews v. Weber, 423 U.S. 261, 270–71 (1976)
- Farmer v. McBride, 177 Fed. App'x 327, 330–31 (4th Cir. 2006)
- Orpiano v. Johnson, 687 F.2d 44, 47 (4th Cir. 1982)
- Elijah v. Dunbar, 66 F.4th 454, 460 (4th Cir. 2023)
- United States v. Midgett, 478 F.3d 616, 622 (4th Cir. 2007)
- Lockert v. Faulkner, 843 F.2d 1015, 1019 (7th Cir. 1988)
- Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005)
- Greenspan v. Bros. Prop. Corp., 103 F. Supp. 3d 734, 737 (D.S.C. 2015)
- Camby v. Davis, 718 F.2d 198, 199–200 (4th Cir. 1983)
- Martin v. Duffy, 858 F.3d 239, 245 (4th Cir. 2017)