

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
CAROLINA

Findley v. Durham

Findley · No. 1:25-cv-12798-RMG · Decided November 24, 2025

SUMMARY

The United States District Court for the District of South Carolina adopted the Magistrate Judge’s Report and Recommendation and dismissed Darrell Allen Findley’s 28 U.S.C. § 2241 petition without prejudice. The court held that Younger abstention barred federal interference with the petitioner’s ongoing state criminal proceedings and denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the District of South Carolina
WRITING FOR THE COURT	Richard Mark Gergel
JURISDICTION	United States District Court for the District of South Carolina
DECIDED	November 24, 2025
DOCKET	1:25-cv-12798-RMG
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pro se pretrial detainee petitioned under 28 U.S.C. § 2241 for federal habeas relief seeking dismissal of pending South Carolina criminal charges. The Magistrate Judge recommended dismissal without prejudice under Younger abstention, and the District Court reviewed the petitioner’s objections, adopted the Report and Recommendation, dismissed the petition without prejudice, and denied a certificate of appealability.
STANDARD OF REVIEW	The District Court independently determines those portions of a magistrate judge’s Report and Recommendation to which specific objections are made and may accept, reject, or modify the recommendation in whole or in part. The court reviews the legal basis for Younger abstention and considers whether a certificate of appealability is warranted.
PRECEDENTIAL VALUE	nonprecedential district court order
PARTIES	Darrell Allen Findley v. Kevin Durham

TOPICS

federal habeas corpus

criminal procedure

post-conviction relief

PRACTICE AREAS

federal habeas corpus

criminal procedure

state-federal abstention

QUESTIONS PRESENTED

1. Whether Younger abstention required dismissal of a § 2241 petition seeking federal interference with pending state criminal proceedings.
2. Whether the petitioner's objections established extraordinary circumstances, including the absence of an adequate state remedy and irreparable injury, sufficient to overcome Younger abstention.
3. Whether the petitioner was entitled to a certificate of appealability.

HOLDINGS

1. The federal court must abstain from interfering with the petitioner's pending state criminal proceedings because ongoing state judicial proceedings implicate important state interests and provide an adequate opportunity to raise federal claims.
2. The petitioner did not establish extraordinary circumstances warranting an exception to Younger abstention.
3. A certificate of appealability was denied because reasonable jurists would not find debatable the court's assessment that the petitioner's grounds were procedurally barred and that no exception applied.

KEY QUOTATIONS

"It is well settled that a federal court should not interfere with pending state court proceedings when "(1) there are ongoing state judicial proceedings; (2) the proceedings implicate important state interests; and (3) there is an adequate opportunity to raise federal claims in the state proceedings." (at 2)

"For the foregoing reasons, the R & R of the Magistrate Judge (Dkt. No. 9) is ADOPTED as the order of the Court, and Petitioner's Petition (Dkt. No. 1) is DISMISSED WITHOUT PREJUDICE and without requiring Respondent to file a return." (at 3)

FACTUAL BACKGROUND

Petitioner Darrell Allen Findley was a pretrial detainee at the Pickens County Detention Center facing pending South Carolina charges of assault and battery of a high and aggravated nature. Proceeding pro se, he sought federal habeas relief under 28 U.S.C. § 2241 to dismiss the state charges and alleged defects in the state indictment and proceedings. He asserted in his objections that he had raised various issues in state court without success, but did not identify facts establishing extraordinary circumstances warranting federal interference.

PROCEDURAL HISTORY

Findley filed a § 2241 petition challenging pending state assault-and-battery charges and alleged deficiencies in the state indictment and proceedings. The Magistrate Judge recommended dismissal without prejudice without requiring the respondent to file a return. After Findley objected, the District Court conducted de novo review of the challenged portions, adopted the Report and Recommendation, dismissed the petition without prejudice, and denied a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- *Younger v. Harris*, 401 U.S. 37 (1971)
- *Mathews v. Weber*, 423 U.S. 261 (1976)
- *United States v. George*, 971 F.2d 1113, 1118 (4th Cir. 1992)
- *Doe v. Chao*, 306 F.3d 170, 183 & n.9 (4th Cir. 2002)
- *Caldwell v. Jackson*, 831 F. Supp. 2d 911, 914 (M.D.N.C. 2010)
- *Martin Marietta Corp. v. Maryland Commission on Human Relations*, 38 F.3d 1392, 1396 (4th Cir. 1994)
- *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003)
- *Slack v. McDaniel*, 529 U.S. 473, 484 (2000)
- *Rose v. Lee*, 252 F.3d 676, 683 (4th Cir. 2001)

OPINION

IN THE UNITED STATES DISTRICT COURT DISTRICT OF SOUTH CAROLINA Darrell Allen Findley, #00209599, Case No. 1:25-cv-12798-RMG Petitioner, v. ORDER Kevin Durham, Respondent. This matter is before the Court on the Magistrate Judge's Report and Recommendation ("R & R"), recommending the Court dismiss Petitioner's Petition for Writ of Habeas Corpus (Dkt. No. 1) without prejudice and without requiring Respondent to file a return.

(Dkt. No. 9). Petitioner filed an objection to the R & R. (Dkt. No. 15). For the reasons set forth below, the Court adopts the R & R as the order of the Court and dismisses the Petition. I. Background Petitioner, a pretrial detainee at the Pickens County Detention Center proceeding pro se, seeks habeas corpus relief under 28 U.S.C. § 2241 to dismiss pending state charges of assault and battery of a high and aggravated nature.

(Dkt. No. 1; Dkt. No 9 at 4). Petitioner asserts numerous alleged deficiencies in the state court indictment and proceedings. (Dkt. No. 1 at 5-7). The Magistrate Judge recommended the dismissal of the petition without prejudice on the basis of *Younger v. Harris*, 401 U.S. 37 (1971), which prohibits federal courts from interfering with pending state criminal proceedings in the absence of extraordinary circumstances.

The petitioner must show he has no adequate remedy at law and will suffer irreparable injury if denied equitable relief. *Id.* at 43-44. Plaintiff filed objections asserting that he has raised various issues before the State court without success. (Dkt. No. 15). 1 II. Legal Standard 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. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made.

The Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge. 28 U.S.C. § 636(b)(1). When a proper objection is made to a particular issue, “a district court is required to consider all arguments directed to that issue, regardless of whether they were raised before the magistrate.” *United States v. George*, 971 F.2d 1113, 1118 (4th Cir.

1992). However, “[t]he district court’s decision whether to consider additional evidence is committed to its discretion, and any refusal will be reviewed for abuse.” *Doe v. Chao*, 306 F.3d 170, 183 & n.9 (4th Cir. 2002). “[A]ttempts to introduce new evidence after the magistrate judge has acted are disfavored,” though the district court may allow if “when a party offers sufficient reasons for so doing.” *Caldwell v. Jackson*, 831 F. Supp. 2d 911, 914 (M.D.N.C.

2010) (listing cases). III. Discussion It is well settled that a federal court should not interfere with pending state court proceedings when “(1) there are ongoing state judicial proceedings; (2) the proceedings implicate important state interests; and (3) there is an adequate opportunity to raise federal claims in the state proceedings.” *Martin Marietta Corp. v. Md. Comm’n on Human Relations*, 38 F.3d 1392, 1396 (4th Cir.

1994). The Magistrate Judge ably addressed these various factors and correctly concluded that the Petitioner’s petition should be dismissed because of the pendency of ongoing 2 state criminal proceedings. Petitioner’s states in his objections that his situation is extraordinary but fails to articulate any facts remotely satisfying this narrow standard.

Accordingly, the Court adopts the R & R as the order of the Court (Dkt. No. 9) and dismisses the Petition. IV. Certificate of Appealability The governing law provides: (c)(2) A certificate of appealability may issue... only if the applicant has made a substantial showing of the denial of constitutional right. (c)(3) The certificate of appealability... shall indicate which specific issue or issues satisfy the showing required by paragraph (2).

28 U.S.C. § 2253; see also Rule 1(b) Governing Section 2254 Cases in the United States District Courts (“The district court may apply any or all of these rules to a habeas corpus petition not covered by [28 U.S.C. § 2254].”) A prisoner satisfies the standard by demonstrating that

reasonable jurists would find the Court's assessment of his constitutional claims debatable or wrong and that any dispositive procedural ruling by the district court is likewise debatable.

See *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); *Rose v. Lee*, 252 F.3d 676, 683 (4th Cir. 2001). Here, the legal standard for the issuance of a certificate of appealability has not been met because a reasonable jurist would not find it debatable that Petitioner's grounds for relief are procedurally barred and that no exception applies.

Therefore, a Certificate of Appealability is denied. V. Conclusion For the foregoing reasons, the R & R of the Magistrate Judge (Dkt. No. 9) is ADOPTED as the order of the Court, and Petitioner's Petition (Dkt. No. 1) is DISMISSED WITHOUT 3 PREJUDICE and without requiring Respondent to file a return. A Certificate of Appealability is DENIED. s/ Richard Mark Gergel
Richard Mark Gergel United States District Judge November 24, 2025 Charleston, South Carolina
4