

**Other Events**

2:26-cv-01107-RMG Collins v. West Palmetto Holdings et al  
**CASE CLOSED on 04/10/2026**

CLOSED,JURY,PROSE,RMG  
REG CIV

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APR 15 2026

SC Court of Appeals

U.S. District Court

District of South Carolina

**Notice of Electronic Filing**

The following transaction was entered on 4/10/2026 at 1:52 PM EDT and filed on 4/10/2026

**Case Name:** Collins v. West Palmetto Holdings et al

**Case Number:** 2:26-cv-01107-RMG

**Filer:**

**WARNING: CASE CLOSED on 04/10/2026**

**Document Number:** 12

**Docket Text:**

**\*\*\*DOCUMENT MAILED [10] certified filed copy of ORDER RULING ON REPORT AND RECOMMENDATION and REMAND, with certified filed copy of Order Ruling on Report and Recommendation (ECF 16 in case 2:26-mc-00086-RMG) and [11] Judgment, (ECF 17 Judgment in case 2:26-mc-00086-RMG) placed in U.S. Mail from Charleston Clerks Office to Court of Appeals 1220 Senate Street Columbia, SC 29201**

**\*\*\*DOCUMENT E-MAILED [10] certified filed copy of ORDER, with certified filed copy of Order (ECF 16 in case 2:26-mc-00086-RMG) and [11] Judgment, (ECF 17 Judgment in case 2:26-mc-00086-RMG) to ctappfilings@scccourts.org (sshe, )**

**2:26-cv-01107-RMG Notice has been electronically mailed to:**

**2:26-cv-01107-RMG Notice will not be electronically mailed to:**

Samuel Tucker Collins, Jr  
2398 Hotel Street  
Alcolu, SC 29001

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1091130295 [Date=4/10/2026] [FileNumber=13067303-0] [59f9a6d66187c30ae69e6451cdf840d93b6bdc99fa422ede67bffe67b2cdb0bd9279d2162069c651ff27f02b78e6535b3c9acdc3adf013aca3305ce4873d70f8d]]

**Other Events**

2:26-mc-00086-RMG Collins, Jr.  
v. Massey et al **CASE CLOSED**  
on 04/10/2026

**RECEIVED**  
APR 15 2026  
SC Court of Appeals

CLOSED,PROSE

U.S. District Court

District of South Carolina

**Notice of Electronic Filing**

The following transaction was entered on 4/10/2026 at 1:55 PM EDT and filed on 4/10/2026

**Case Name:** Collins, Jr. v. Massey et al

**Case Number:** 2:26-mc-00086-RMG

**Filer:**

**WARNING: CASE CLOSED on 04/10/2026**

**Document Number:** 18

**Docket Text:**

**\*\*\*DOCUMENT MAILED 10 certified filed copy of ORDER RULING ON REPORT AND RECOMMENDATION and REMAND, with certified filed copy of Order Ruling on Report and Recommendation (ECF [16] in case 2:26-mc-00086-RMG) and 11 Judgment, (ECF [17] Judgment in case 2:26-mc-00086-RMG) placed in U.S. Mail from Charleston Clerks Office to Court of Appeals 1220 Senate Street Columbia, SC 29201**

**\*\*\*DOCUMENT E-MAILED 10 certified filed copy of ORDER, with certified filed copy of Order (ECF 16 in case 2:26-mc-00086-RMG) and 11 Judgment, (ECF 17 Judgment in case 2:26-mc-00086-RMG) to ctappfilings@sccourts.org (sshe, )**

**2:26-mc-00086-RMG Notice has been electronically mailed to:**

**2:26-mc-00086-RMG Notice will not be electronically mailed to:**

Samuel Tucker Collins, Jr.  
2398 Hotel Street  
Alcolu, SC 29001

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1091130295 [Date=4/10/2026] [FileNumber=13067308-0] [9cd51a2141344cf443c361f8833c12ed8e7f3477dc267826a73b8bb95d14e8379f9faf5971c07336739012291563dbb10c293f849b1f03cc99b9692f223b6625]]

U.S. District Court  
District of South Carolina

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APR 15 2026  
SC Court of Appeals

**Notice of Electronic Filing**

The following transaction was entered on 04/09/2026 at 3:26:02 PM EDT and filed on 04/09/2026

**Case Name:** Collins v. West Palmetto Holdings et al

**Case Number:** 2:26-cv-01107-RMG

**Filer:**

**Document Number:** 10

**Docket Text:**

**ORDER RULING ON REPORT AND RECOMMENDATION** The R&R (Dkt. No. [7]) is **ADOPTED** as the Order of the Court, this action is **REMANDED** to the South Carolina Court of Appeals, and Appellant's motion for declaratory and injunctive relief (Dkt. No. [2]) and emergency motion for temporary restraining order and stay of writ of ejectment (Dkt. No. [3]) are **DISMISSED AS MOOT. AND IT IS SO ORDERED.** Clerk's Notice: Pro Se Appellant Samuel Tucker Collins, Jr. is responsible for supplementing the State Record (South Carolina Court of Appeals) with all documents filed in Federal Court. Signed by Honorable Richard M Gergel on 4/9/2026. (sshe, )

**2:26-cv-01107-RMG Notice has been electronically mailed to:**

**2:26-cv-01107-RMG Notice will not be electronically mailed to:**

Samuel Tucker Collins, Jr  
2398 Hotel Street  
Alcolu, SC 29001

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1091130295 [Date=4/9/2026] [FileNumber=13065786-0  
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*This is a re-generated NEF. Created on 4/10/2026 at 9:20 AM EDT*

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

RECEIVED

APR 15 2026

Samuel Tucker Collins, Jr.,

Appellant,

v.

West Palmetto Holdings and Clarendon  
County Magistrate Court,

Respondents.

Case No. 2:26-cv-01107-RMG

SC Court of Appeals

ORDER



A TRUE COPY  
ATTEST: ROBIN L. BLUME, CLERK

BY: *Sandra S. Shealy*  
DEPUTY CLERK

This matter is before the Court upon the Report and Recommendation (“R&R”) of the Magistrate Judge (Dkt. No. 7), recommending that the Court remand this action to the South Carolina Court of Appeals for lack of subject-matter jurisdiction, as well as dismiss as moot Appellant’s motion for declaratory and injunctive relief (Dkt. No. 2) and emergency motion for temporary restraining order and stay of writ of ejectment (Dkt. No. 3). Appellant was given notice that he had 14 days from the date of the R&R to file any objection, which, with three additional days for mailing, required the filing of objections on or before April 6, 2026. (Dkt. No. 7 at 12). The Court has received no objections. For the reasons set forth below, the R&R is adopted as the Order of the Court, this action is remanded to the South Carolina Court of Appeals, and Appellant’s motion for declaratory and injunctive relief and emergency motion for temporary restraining order and stay of writ of ejectment are dismissed as moot.

**I. Legal Standard**

**A. Magistrate’s Report and Recommendation**

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility for making a final determination remains with

this Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). This Court is charged with making a de novo determination of those portions of the R&R to which specific objections are made. *See* 28 U.S.C. § 636(b)(1). Additionally, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.* Where the petitioner fails to timely file any specific objections, “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.” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citation and punctuation omitted).

### **B. Pro Se Pleadings**

This Court liberally construes complaints filed by *pro se* litigants to allow the development of a potentially meritorious case. *See Cruz v. Beto*, 405 U.S. 319, 322 (1972); *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972). The requirement of liberal construction does not mean that the Court can ignore a clear failure in the pleadings to allege facts which set forth a viable federal claim, nor can the Court assume the existence of a genuine issue of material fact where none exists. *See Weller v. Dep’t of Soc. Servs.*, 901 F.2d 387, 391 (4th Cir. 1990) (citation omitted).

## **II. Discussion**

After a careful review of the record and the R&R, the Court finds that the Magistrate Judge ably summarized the legal and factual issues in this matter and correctly concluded that this action should be remanded to the South Carolina Court of Appeals for lack of subject-matter jurisdiction and that Appellant’s motion for declaratory and injunctive relief and emergency motion for temporary restraining order and stay of writ of ejectment should be dismissed as moot.

**III. Conclusion**

For the foregoing reasons, the R&R (Dkt. No. 7) is **ADOPTED** as the Order of the Court, this action is **REMANDED** to the South Carolina Court of Appeals, and Appellant's motion for declaratory and injunctive relief (Dkt. No. 2) and emergency motion for temporary restraining order and stay of writ of ejectment (Dkt. No. 3) are **DISMISSED AS MOOT**.

**AND IT IS SO ORDERED.**

s/ Richard Mark Gergel  
Richard Mark Gergel  
United States District Judge

April 9, 2026  
Charleston, South Carolina

UNITED STATES DISTRICT COURT  
for the  
District of South Carolina

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APR 15 2026

SC Court of Appeals

Samuel Tucker Collins, Jr. )  
Appellant )  
v. )  
West Palmetto Holdings et al )  
Respondent )

Civil Action No. 2:26-cv-01107-RMG

RECEIVED

APR 15 2026

SC Court of Appeals

JUDGMENT IN A CIVIL ACTION

The court has ordered that (check one):

the petitioner (name) \_\_\_\_\_ recover from the respondent (name) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_ %, plus post judgment interest at the rate of \_\_\_ % per annum, along with costs.

the petitioner recover nothing, the action be dismissed on the merits, and the respondent (name) \_\_\_\_\_ recover costs from the petitioner (name) \_\_\_\_\_.

• other: The action is remanded to the South Carolina Court of Appeals.

This action was (check one):

tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.

tried by Judge \_\_\_\_\_ without a jury and the above decision was reached.

• decided by the Honorable Richard M Gergel, United States District Judge.

Date: April 10, 2026

ROBIN L. BLUME, CLERK OF COURT

s/S. Shealy

Signature of Deputy Clerk

U.S. District Court  
District of South Carolina

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APR 15 2026  
SC Court of Appeals

**Notice of Electronic Filing**

The following transaction was entered on 4/9/2026 at 3:12 PM EDT and filed on 4/9/2026

**Case Name:** Collins, Jr. v. Massey et al

**Case Number:** 2:26-mc-00086-RMG

**Filer:**

**Document Number:** 16

**Docket Text:**

**ORDER AND OPINION RULING ON REPORT AND RECOMMENDATION** The R&R is ADOPTED (Dkt. No. [14]) as the Order of the Court, this action is DISMISSED WITHOUT LEAVE TO AMEND, and Petitioner's "Plea of Release and Equitable Tender" (Dkt. No. [5]) is DISMISSED AS MOOT. AND IT IS SO ORDERED. Signed by Honorable Richard M Gergel on 4/9/2026. (sshe, )

**2:26-mc-00086-RMG Notice has been electronically mailed to:**

**2:26-mc-00086-RMG Notice will not be electronically mailed to:**

Samuel Tucker Collins, Jr.  
2398 Hotel Street  
Alcolu, SC 29001

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1091130295 [Date=4/9/2026] [FileNumber=13065678-0]  
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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

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APR 15 2026

SC Court of Appeals

Samuel Tucker Collins, Jr.,

Petitioner,

v.

Rebecca Massey and Shanita Brangman,

Respondents.

Case No. 2:26-mc-00086-RMG

ORDER AND OPINION



A TRUE COPY  
ATTEST: ROBIN L. BLUME, CLERK

BY: *Sandra J. Shealy*  
DEPUTY CLERK

This matter is before the Court upon the Report and Recommendation (“R&R”) of the Magistrate Judge (Dkt. No. 14), recommending that the Court dismiss this action without leave to amend and that it dismiss as moot Petitioner’s “Plea of Release and Equitable Tender” (Dkt. No. 5). Petitioner was given notice that he had 14 days from the date of the R&R to file any objection, which, with three additional days for mailing, required the filing of objections on or before April 6, 2026. (Dkt. No. 14 at 11). The Court has received no objections. For the reasons set forth below, the Court adopts the R&R as the Order of the Court, dismisses this action without leave to amend, and dismisses as moot Petitioner’s “Plea of Release and Equitable Tender.”

**I. Legal Standard**

**A. Magistrate’s Report and Recommendation**

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility for making a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). This Court is charged with making a de novo determination of those portions of the R&R to which specific objections are made. *See* 28 U.S.C. § 636(b)(1). Additionally, the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.* Where the petitioner fails to

timely file any specific objections, “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.” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citation and punctuation omitted).

### **B. Pro Se Pleadings**

This Court liberally construes complaints filed by *pro se* litigants to allow the development of a potentially meritorious case. *See Cruz v. Beto*, 405 U.S. 319, 322 (1972); *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972). The requirement of liberal construction does not mean that the Court can ignore a clear failure in the pleadings to allege facts which set forth a viable federal claim, nor can the Court assume the existence of a genuine issue of material fact where none exists. *See Weller v. Dep’t of Soc. Servs.*, 901 F.2d 387, 391 (4th Cir. 1990) (citation omitted).

## **II. Discussion**

After a careful review of the record and the R&R, the Court finds that the Magistrate Judge ably summarized the legal and factual issues in this matter and correctly concluded that this action should be dismissed without leave to amend and that Petitioner’s “Plea of Release and Equitable Tender” should be dismissed as moot.

## **III. Conclusion**

For the foregoing reasons, the R&R is **ADOPTED** (Dkt. No. 14) as the Order of the Court, this action is **DISMISSED WITHOUT LEAVE TO AMEND**, and Petitioner’s “Plea of Release and Equitable Tender” (Dkt. No. 5) is **DISMISSED AS MOOT**.

**AND IT IS SO ORDERED.**

s/ Richard Mark Gergel  
Richard Mark Gergel  
United States District Judge

April 9, 2026  
Charleston, South Carolina

UNITED STATES DISTRICT COURT
for the
District of South Carolina

Samuel Tucker Collins, Jr.
Steward Trustee, STCJ Network Revocable Living Trust
Petitioner
v.
Massey et al
Respondent

Civil Action No. 2:26-mc-00086-RMG

JUDGMENT IN A CIVIL ACTION

The court has ordered that (check one):

[ ] the petitioner (name) recover from the respondent (name) the amount of dollars (\$), which includes prejudgment interest at the rate of %, plus post judgment interest at the rate of % per annum, along with costs.

[ ] the petitioner recover nothing, the action be dismissed on the merits, and the respondent (name) recover costs from the petitioner (name).

- other: The action is dismissed without leave to amend.

This action was (check one):

[ ] tried by a jury with Judge presiding, and the jury has rendered a verdict.

[ ] tried by Judge without a jury and the above decision was reached.

- decided by the Honorable Richard M Gergel, United States District Judge.

Date: April 10, 2026

ROBIN L. BLUME, CLERK OF COURT

s/S. Shealy

Signature of Deputy Clerk

CLERK OF COURT  
UNITED STATES DISTRICT COURT  
P.O. BOX 835  
CHARLESTON, SOUTH CAROLINA 29402

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APR 15 2026

SC Court of Appeals

Court of Appeals  
Clerk of Court  
1220 Senate Street  
Columbia, SC 29201



29201-376999

