

FILED: March 17, 2026

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6990
(6:25-cv-12792-JDA)

JOSE MARTIN ARGUETA

Plaintiff - Appellant

v.

STATE OF SOUTH CAROLINA; GENERAL ASSEMBLY

Defendants - Appellees

J U D G M E N T

In accordance with the decision of this court, the judgment of the district court is affirmed.

This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41.

/s/ NWAMAKA ANOWI, CLERK

Appendix A

UNPUBLISHED

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

No. 25-6990

JOSE MARTIN ARGUETA,

Plaintiff - Appellant,

v.

STATE OF SOUTH CAROLINA; GENERAL ASSEMBLY,

Defendants - Appellees.

Appeal from the United States District Court for the District of South Carolina, at Greenville. Jacquelyn Denise Austin, District Judge. (6:25-cv-12792-JDA)

Submitted: March 12, 2026

Decided: March 17, 2026

Before WILKINSON and KING, Circuit Judges, and KEENAN, Senior Circuit Judge.

Affirmed by unpublished per curiam opinion.

Jose Martin Argueta, Appellant Pro Se.

Unpublished opinions are not binding precedent in this circuit.

Appendix A

PER CURIAM:

Jose Martin Argueta appeals the district court's order adopting the magistrate judge's recommendation and dismissing Argueta's 42 U.S.C. § 1983 complaint without prejudice and without issuance or service of process.* See 28 U.S.C. §§ 1915(e)(2)(B), 1915A(b). We have reviewed the record and find no reversible error. Accordingly, we affirm the district court's order. *Argueta v. South Carolina*, No. 6:25-cv-12792-JDA (D.S.C. Nov. 13, 2025). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

AFFIRMED

* The order is final and appealable because the district court did not grant Argueta leave to amend his complaint. See *Britt v. DeJoy*, 45 F.4th 790, 796 (4th Cir. 2022) (en banc) (order).

Appendix A²

Other Orders/Judgments

6:25-cv-12792-JDA Argucta v.
South Carolina, The State of et al

JURY,WSB-Inmate

U.S. District Court

District of South Carolina

Notice of Electronic Filing

The following transaction was entered on 11/13/2025 at 7:21 AM EST and filed on 11/13/2025

Case Name: Argucta v. South Carolina, The State of et al

Case Number: 6:25-cv-12792-JDA

Filer:

Document Number: 13

Docket Text:

OPINION AND ORDER RULING ON REPORT AND RECOMMENDATION. The Court accepts the [9] Report and Recommendation of the Magistrate Judge. Accordingly, this action is DISMISSED without issuance or service of process, without leave to amend, and without prejudice. Signed by Honorable Jacquelyn D Austin on 11/13/25. (rweb,)

6:25-cv-12792-JDA Notice has been electronically mailed to:

6:25-cv-12792-JDA Notice will not be electronically mailed to:

Jose Martin Argueta
GCDC
20 McGee St
Greenville, SC 29601

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=11/13/2025] [FileNumber=12835104-0] [7d4a6c13f4c1a391ec37cf911b183cc0c57b462a3f0e80cfd6b8885016655efaf5592639ef51bd0e9cc93b50a7125c620c13100eb0830047e64d04cc4c094fc4]]

Appendix B

**BAIL PROCEEDING
FORM II**STATE OF SOUTH CAROLINA
COUNTY OF GreenvilleIN THE Greenville General Sessions

STATE OF SOUTH CAROLINA

ORDER SPECIFYING METHODS AND CONDITIONS OF RELEASE

Argueta, Jose Martin

NAME OF DEFENDANT

Offense Charged: Obstructing / Obstructing justice-[2025A2330202219]

At a bail proceeding conducted by the undersigned judge, for the defendant named above, it was determined by the court (check one or both):

- ☐ The release of the defendant on recognizance will not reasonably assure his appearance as required.
- ☐ The release of the defendant on recognizance will result in an unreasonable danger to the community.

This determination was based upon the following findings of fact: _____

Nature of Circumstances of Offense; Must Notify Court Immediately of Change of Address _____

[Considerations: Nature and Circumstances of the offense charged, the defendant's family ties, employment, financial resources, character and mental condition, the length of his residence in the community, his record of convictions, and any record of flight to avoid prosecution or failure to appear at other court proceedings.]

THEREFORE, IT IS HEREBY ORDERED:

1. That the above named defendant be released from custody on the condition that he will personally appear before the designated court at the place, date and time required to answer the charge made against him and do what shall be ordered by the court and not depart the State without the permission of the court and be of good behavior.
2. That the above named defendant be released from custody provided as follows (check all that apply):

CASH IN LIEU OF BOND

- ☐ The defendant, acknowledges himself to be indebted to the State of South Carolina in the sum of \$ _____ to secure his release from custody. Should the defendant fail to comply with all terms and conditions of this Order, this sum of money is subject to being forfeited to the State.

CASH PERCENTAGE IN LIEU OF BOND

- ☐ The defendant, acknowledging himself to be indebted to the State of South Carolina in the full amount of \$ _____, his release to be obtained by payment to the court of _____ % (not to exceed 10%) of the full amount of the bond, deposits \$ _____ to secure his release from custody. Should the defendant fail to perform the conditions of this Order, the full amount shall be levied on his real and personal property for the use of the state.

APPEARANCE RECOGNIZANCE WITH SURETY

- ☒ The defendant will provide good and sufficient surety approved by the court, in the form hereinafter set forth in this Order, acknowledging an indebtedness to the State in the amount of \$ 3,000.00.

3. That the defendant shall appear at (check one):

- ☒ the term of COURT OF GENERAL SESSIONS beginning on May 23, 2025 at 9:00 o'clock, AM, at Greenville General Sessions - 305 E. North Street/Greenville County Courthouse/Greenville, SC 29601-2120 / (864) 467-855 and remain there throughout that term of court. If no disposition is made during that term, the defendant shall appear and remain throughout each succeeding term of court until final disposition is made of his case, unless otherwise ordered by the court.

- ☐ the session of ☐ MAGISTRATE COURT ☐ MUNICIPAL COURT beginning on _____ at _____ o'clock, _____ at _____

If no final disposition is made during that session, the defendant shall appear at such other times and places as ordered by the court.

Bond Amount(s): \$3,000.00 (CS) or \$3,000.00 (SB)INITIALS OF DEFENDANT X

4. That the defendant will notify the court promptly if he changes his address from the one contained in this order and he will comply with those conditions described hereinafter in the Order.

SIGNATURE OF JUDGE [Signature]

03/13/2025

DATE

ORIGINAL AND ONE COPY OF THIS FORM ARE TO BE COMPLETED IN EVERY BAIL PROCEEDING IN WHICH IT IS USED
SCCA/511A (Revised 3/2012) • Original Copy For The Trial Court - Copy For The Defendant

ARREST WARRANT

5053
3-13-25

2025A2330202219

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

THE STATE

25-039445

against

Jose Martin Argueta

Address: 1 Elaine Ave

Taylors, SC 29687-

Phone: _____ SSN: _____
Sex: M Race: H Height: 5 6 Weight: 150

DL State: _____ DL #: _____

DOB: 9/23/1987 Agency ORI #: SC0230000Prosecuting Agency: Greenville County Sheriffs OfficeProsecuting Officer: Lehi J Noone - S01889Offense: Obstructing / Obstructing justiceOffense Code: 0118Code/Ordinance Sec: 00-00-0000This warrant is CERTIFIED FOR SERVICE in the
☐ County/ ☐ Municipality ofThe accused
is to be arrested and brought before me to be
dealt with according to the law.

(L.S.)

Signature of Judge

Date: _____

RETURN

A copy of this arrest warrant was delivered to

defendant Jose Martin Argueta
on 3/12/2025[Signature] D228 #2421
Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Personally appeared before me the affiant Lehi J Noonebeing duly sworn deposes and says that defendant Jose Martin Arguetadid within this county and state on or about 3/9/2025State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

Greenville

in the following particulars:

DESCRIPTION OF OFFENSE: Obstructing / Obstructing justice

I further state that there is probable cause to believe that the defendant named above did commit the crime set forth and that probable cause is based on the following facts:

The affiant, an Investigator with the Greenville County Sheriff's Office, has documented evidence in the form of a witness statement that on March 9, 2025, the defendant, Jose Martin Argueta did commit the crime of Obstructing / Obstructing justice. The defendant was in possession of the victim's personal communications device and attempted to obstruct / conceal this device from law enforcement. This incident occurred in Greenville County South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Affiant's Address 4 Mcgee Street
Greenville, SC 29601-

Affiant's Telephone _____

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

It appearing from the above affidavit that there are reasonable grounds to believe that

on or about 3/9/2025defendant Jose Martin Argueta

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of Greenville

) as set forth below:

DESCRIPTION OF OFFENSE: Obstructing / Obstructing justice

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as soon thereafter as is practicable

Sworn to and subscribed before me

on 3/11/2025[Signature] (L.S.)
Signature of Issuing Judge
Ernest Michael Patrick O'Brien Sr.Judge Code: 7185Judge's Address 20 Mcgee StreetGreenville, SC 29601-2210Judge's Telephone (864)467-2402Issuing Court: ☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

ORIGINAL

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ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 518

17-18

ARREST WARRANT

2025A2330202369

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

THE STATE

25-039445

against

Jose Martin Argueta

Address: 1 Elaine Ave

Taylors, SC 29687-

Phone: _____ SSN: _____
Sex: M Race: H Height: 5 6 Weight: 150

DL State: _____ DL #: _____

DOB: 9/23/1987 Agency ORI #: SC0230000

Prosecuting Agency: Greenville County Sheriffs Office

Prosecuting Officer: Lehi J Noone - S01889

Offense: Weapons / Poss. weapon during violent crime, if
not also sentenced to life without parole or death

Offense Code: 0549

Code/Ordinance Sec: 16-23-0490

This warrant is CERTIFIED FOR SERVICE in the

☐ County/ ☐ Municipality of

The accused

is to be arrested and brought before me to be
dealt with according to the law.

Signature of Judge

Date: _____

RETURN

A copy of this arrest warrant was delivered to
defendant Jose Argueta
on 3/14/2025

Signature of Constable/Law Enforcement Officer

RETURN WARRANT TO:

East
Greenville General Sessions
305 E. North Street
Greenville County Courthouse
Greenville, SC 29601-2120

ORIGINAL

ORIGINAL

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Personally appeared before me the affiant Lehi J Noone

being duly sworn deposes and says that defendant Jose Martin Argueta

did within this county and state on or about 3/9/2025

State of South Carolina (or ordinance of ☒ County/ ☐ Municipality of

Greenville

in the following particulars:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

I further state that there is probable cause to believe that the defendant named above did commit
the crime set forth and that probable cause is based on the following facts:The affiant, an investigator with the Greenville County Sheriff's Office, has documented evidence that implicates the defendant in
the above offense. On March 9th, 2025, the defendant used a firearm, which is a deadly weapon, to shoot the victim. The defendant
is charged with Murder, defined as a violent crime according to Section 16-1-60 of the SC Code of Laws. This offense occurred in
Greenville County, South Carolina.

Signature of Affiant

STATE OF SOUTH CAROLINA

☒ County/ ☐ Municipality of

Greenville

Affiant's Address 4 McGee Street

Greenville, SC 29601-

Affiant's Telephone _____

ARREST WARRANT

TO ANY LAW ENFORCEMENT OFFICER OF THIS STATE OR MUNICIPALITY OR ANY CONSTABLE OF THIS COUNTY:

appearing from the above affidavit that there are reasonable grounds to believe that

on or about 3/9/2025

defendant Jose Martin Argueta

did violate the criminal laws of the State of South Carolina (or ordinance of

☒ County/ ☐ Municipality of Greenville

) as set forth below:

DESCRIPTION OF OFFENSE: Weapons / Poss. weapon during violent crime, if not also sentenced to life without parole or death

Having found probable cause and the above affiant having sworn before me, you are empowered and directed to arrest the said defendant and bring him or
her before me forthwith to be dealt with according to law. A copy of this Arrest Warrant shall be delivered to the defendant at the time of its execution, or as
soon thereafter as is practicableSworn to and subscribed before me
on 3/14/2025Signature of Issuing Judge
Letonya T. Simmons

Judge Code: 5077

Judge's Address Law Enforcement Center

Greenville, SC 29601-

Judge's Telephone _____

Issuing Court:

☒ Magistrate☐ Municipal☐ Circuit

ORIGINAL

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ORIGINAL

ORIGINAL

Form Approved by
S.C. Attorney General
April 21, 2003
SCCA 516

AFFIDAVIT

who

violate the criminal laws of the

)

*2003/615

(L.S.) SAME
LOCATION

18-10

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Jose Martin Argueta,

Plaintiff,

v.

State of South Carolina,
General Assembly,

Defendants.

Case No. 6:25-cv-12792-JDA

OPINION AND ORDER

This matter is before the Court on Plaintiff's Complaint and a Report and Recommendation ("Report") of the Magistrate Judge. [Docs. 1; 9.] 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 William S. Brown for pre-trial proceedings.

On June 25, 2025, the Magistrate Judge issued a Report and Recommendation ("Report") recommending that this action be dismissed without issuance and service of process and without leave to amend. [Doc. 9.] 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. [*Id.* at 16.] On October 20, 2025, the Clerk docketed objections to the Report from Plaintiff. [Doc. 11.]

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. 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" (internal quotation marks omitted)).

The Report explains several reasons why Plaintiff fails to adequately plead a claim against either of the Defendants and why, to the extent Plaintiff's claims are brought to challenge the charges pending against him or his present incarceration at the Greenville County Detention Center, his claims are barred by the *Younger* abstention doctrine. [Doc. 9 at 4–15.] In his objections, Plaintiff does not engage, or even acknowledge, the Magistrate Judge's analysis. [Doc. 11.]

Nevertheless, out of an abundance of caution for the pro se Plaintiff, the Court has conducted a de novo review of the Report, the record, and the applicable law. Upon such review, the Court accepts the Report and Recommendation of the Magistrate Judge and incorporates it by reference. Accordingly, this action is DISMISSED without issuance or service of process, without leave to amend, and without prejudice.

IT IS SO ORDERED.

s/ Jacquelyn D. Austin
United States District Judge

November 13, 2025
Greenville, South Carolina

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified of the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.

UNITED STATES DISTRICT COURT

for the

District of South Carolina

Jose Martin Argueta,

Plaintiff

v.

South Carolina, The State of, General Assembly,

The,

Defendant

Civil Action No. 6:25-cv-12792-JDA

JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* _____ recover from the defendant *(name)* _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* _____ recover costs from the plaintiff *(name)* _____.

☒ other: dismissed without prejudice.

This action was *(check one)*:

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Jacquelyn D Austin

Date: November 13, 2025

CLERK OF COURT

s/Rob Weber, Deputy Clerk

Signature of Clerk or Deputy Clerk