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

Mildenzel M. Davis, Plaintiff, vs. Cpt. Brunson; Cpl. Benjamin; and Officer Ms. Davis, Defendants.	)	C/A No.: 1:13-3458-TLW-SVH ORDER

Plaintiff Mildenzel M. Davis, proceeding pro se and in forma pauperis, brought this action pursuant to 42 U.S.C. § 1983, alleging violations of his constitutional rights while incarcerated at Florence County Detention Center ("FCDC"). Defendants Captain Brunson, Corporal Benjamin, and Officer Davis (collectively "Defendants") are employees at FCDC. All pretrial proceedings in this case were referred to the undersigned pursuant to the provisions of 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2)(d) (D.S.C.).

This matter comes before the court on Plaintiff's motion for a speedy trial [Entry #22] and Plaintiff's motion to allow him to repair the defects in service [Entry #25]. In his motion for a speedy trial, Plaintiff alleges Defendants are delaying the case and trying to make it difficult for Plaintiff to proceed. This case is in its infancy and Plaintiff's motions were filed before Defendants' deadline for filing an answer expired. Furthermore, the Sixth Amendment right to a speedy trial applies only to criminal prosecutions and not to civil cases. U.S. Const. amend. VI ("In all criminal prosecutions,

the accused shall enjoy the right to a speedy and public trial.") (emphasis added). Plaintiff's motion for a speedy trial is denied.

Plaintiff also requests that the court allow him to "deal with defects in how the complaint was served on the defendants." [Entry #25]. Defendants filed an answer in this matter on February 14, 2014, and did not include a defense related to alleged defects in service. Therefore, Plaintiff's motion is denied, as there do not appear to be any defects in service of process on Defendants.

For the foregoing reasons, the undersigned denies Plaintiff's motion for a speedy trial [Entry #22] and Plaintiff's motion to allow him to repair the defects in service [Entry #25].

IT IS SO ORDERED.

Shiva V. Hodges

February 20, 2014
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge