

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28United States District Court
For the Northern District of CaliforniaIN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIACHARLES LEE WILLIAMS,
Plaintiff,
v.
ROY SCHEINGART, et al.,
Defendants.

No. C 15-3013 MMC

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION; DISMISSING
PLAINTIFF'S PETITION WITHOUT
LEAVE TO AMEND**

Before the Court is Magistrate Judge Joseph C. Spero's "Report and Recommendation Regarding Sufficiency of Complaint or Petition Pursuant to 28 U.S.C. § 1915A" ("Report and Recommendation"), filed October 27, 2015. In said Report and Recommendation, Magistrate Judge Spero recommends the Court dismiss without leave to amend plaintiff's pro se "Petition," filed June 29, 2015. In said petition, plaintiff, who is currently incarcerated, seeks release from custody, as well as monetary relief against various government officials, on the ground that the state court in which plaintiff was convicted lacked jurisdiction over plaintiff because he is a "sovereign citizen."

On November 4, 2015, plaintiff filed an objection to Magistrate Judge Spero's Report and Recommendation, on the ground that it was "not duly sworn." Plaintiff's objection is hereby overruled, as there is no case or statutory authority requiring such a judicial determination be submitted under oath.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Having reviewed de novo the matters raised in plaintiff's petition, this Court hereby ADOPTS the Report and Recommendation in its entirety.

Accordingly, plaintiff's petition is hereby DISMISSED without leave to amend.

IT IS SO ORDERED.

Dated: November 20, 2015


MAXINE M. CHESNEY
United States District Judge