

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JAMES G. BOFINGER,	:	
	:	
	:	
Petitioner	:	
	:	Civil Action No.
v.	:	5:06-CV-108 (HL)
	:	
	:	
CYNTHIA NELSON, and GEORGIA BOARD OF PARDONS and PAROLES,	:	
	:	
	:	
Respondents		

ORDER

Before the Court is the Magistrate Judge’s Report and Recommendation (“R&R”) (Doc. 50), which recommends granting Respondent’s Motion to Dismiss (Doc. 46) and dismissing Petitioner’s Writ of Habeas Corpus (Doc. 1). Also before the Court is Petitioner’s Motion for Leave to File to Amend (Doc. 53).¹ Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered Petitioner’s Objection and has made a *de novo* determination of the portion of the R&R to which Petitioner objects. After careful consideration, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. Petitioner’s Motion for Leave to File to Amend is denied.

¹ In Petitioner’s Motion for Leave for File to Amend, several arguments are raised that were not previously presented. As such, the arguments are improperly raised and will not be considered.

SO ORDERED, this the 21st day of January, 2009

s/ Hugh Lawson
HUGH LAWSON, Judge

wjc