

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

REGINALD DEKEITH MIMS,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 5:08-CV-203(HL)
	:	
LINDA A. FARR and RUSSELL	:	
ANDERSON,	:	
	:	
Defendants.	:	

ORDER

Pro se Plaintiff has filed a Motion for Jury Trial (Doc. 37) and Motion for Attorney’s Fees (Doc. 38). Plaintiff filed these Motions after the Court entered an Order (Doc. 35) dismissing his Complaint. Because Plaintiff’s case has been dismissed, his Motion for Jury Trial is denied as moot. Also, Plaintiff’s Motion for Attorney’s Fees is denied because Plaintiff is proceeding pro se, and he is not a prevailing party. See Kay v. Ehrler, 499 U.S. 432, 434-35 (1991) (holding that pro se litigants are not entitled to an award of attorney’s fees); 42 U.S.C. § 1988 (providing that in civil rights actions district courts have discretion to award attorney’s fees to the prevailing party).

SO ORDERED, this the 13th day of January, 2009

s/ Hugh Lawson
HUGH LAWSON, Judge

dhc