Skeete v. Moon et al Doc. 34

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

CARLOS A. SKEETE, :

Plaintiff, :

v. : Civil Action No.

5:08-CV-326 (CAR)

MIKE MOON, STEPHEN L. SMITH,

MOON FAMILY PROPERTY,

LOWE MOON FORREST PRODUCT,

WILLARD EMERSON, and

BRIGHTSTAR CONSTRUCTION, CO.,

:

Defendants.

\_\_\_\_\_:

## ORDER ON MOTION FOR JUDGMENT AS A MATTER OF LAW

On August 20, 2009, the Court entered an Order (Doc. 26) denying Plaintiff's motion for summary judgment and staying this case pursuant to the abstention doctrine of Colorado River Water Conservation Dist. v. United States, 424 U.S. 800 (1976). The case was stayed pending final resolution of Plaintiff's parallel case in the Superior Court of Bibb County. Defendants have recently notified the Court that the state case has entered final judgment as to all claims and defendants and that the time for appeal has expired. The Superior Court's judgment is conclusive as to all parties involved in this case. The matters at issue in this case are matters that were put in issue or might have been put issue in the Superior Court case. As such, Plaintiff's claims in this Court are barred by the doctrine of *res judicata*. Defendants' Motion for Judgment as a Matter of Law (Doc. 30) is therefore **GRANTED**, and the Clerk of Court is hereby directed to enter final judgment in Defendants' favor.

**SO ORDERED** this 30th day of September 2010.

S/C. Ashley Royal
C. ASHLEY ROYAL, JUDGE
UNITED STATES DISTRICT COURT

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