

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

ANTHONY MICHAEL ESHENA,	:	
	:	
Plaintiff,	:	Civil Action
	:	No. 5:08-cv-417 (CAR)
v.	:	
	:	
WARDEN DAVID FRAZIER, et al.	:	
	:	
Respondent.	:	

**ORDER ON THE UNITED STATES MAGISTRATE JUDGE’S
REPORT AND RECOMMENDATION**

Before the Court is the United States Magistrate Judge’s Recommendation [Doc. 10] that Plaintiff’s claims against three “Jane Doe” defendants be dismissed, without prejudice to Plaintiff’s right to amend his Complaint upon discovery of their identities. Plaintiff has entered an objection to the Recommendation. Upon review of the Complaint and the subsequent record of the case, the Court agrees with the Recommendation. Plaintiff’s Complaint fails to identify the Jane Doe defendants with sufficient clarity to enable service of process. He has not demonstrated reasonable diligence in attempting to determine their identities and has made no effort to amend his Complaint since the Recommendation was entered. See Dean v. Barber, 951 F.2d 1210, 1215-16 (11th Cir. 1992). The Recommendation of the United States Magistrate Judge is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**, and Plaintiff’s claims against the Jane Doe defendants are hereby **DISMISSED**.

It is SO ORDERED this 14th day of October, 2009.

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

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