

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

STEVE DEAN MACK,

Petitioner,

v.

**Warden JASON MEDLIN, and
Commissioner HOMER BRYSON,**

Respondents.

CIVIL ACTION NO. 5:14-CV-322 (MTT)

ORDER

United States Magistrate Judge Charles H. Weigle recommends granting Respondent Homer Bryson's motion to dismiss (Doc. 16) Petitioner Steve Dean Mack's 28 U.S.C. § 2254 petition. (Doc. 25). The Petitioner has filed an objection to the Recommendation. (Doc. 27). Pursuant to 28 U.S.C. § 636(b)(1), the Court has thoroughly considered the objection and has made a de novo determination of the portions of the Recommendation to which the Petitioner objects. The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the order of this Court. Accordingly, the Respondent's motion (Doc. 16) is **GRANTED**, and the petition is **DISMISSED**. Further, the Petitioner has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(2). Therefore, a certificate of appealability is **DENIED**. Additionally, because there are no non-frivolous issues to raise on appeal, an appeal would not be taken in

good faith. See 28 U.S.C. § 1915(a)(3). Accordingly, any motion to proceed *in forma pauperis* on appeal is **DENIED**.

SO ORDERED, this 10th day of March, 2016.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT