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

ROBERT LEE GILL, JR.,	)	
	)	
Petitioner,	)	
	)	
v.	)	**CIVIL ACTION NO. 5:15-cv-427 (MTT)**
	)	
SAM ZANDERS,	)	
	)	
Respondent.	)	
	)	

ORDER

United States Magistrate Judge Charles H. Weigle recommends granting the Respondent's Motion to Dismiss (Doc. 7) and dismissing the Petitioner's Section 2254 petition because the grounds are unexhausted. (Doc. 11). The Petitioner has objected to the Recommendation. (Doc. 12). Pursuant to 28 U.S.C. § 636(b)(1), the Court has considered the Petitioner's 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 accepts 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 to Dismiss is **GRANTED** (Doc. 7), and the Petitioner's Section 2254 petition is **DISMISSED**. 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 15th day of August, 2016.

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

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