

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

OMARI AKILE SMITH,

Plaintiff,

v.

CITY OF ATLANTA POLICE
DEPARTMENT, et al.,

Defendants.

CIVIL ACTION FILE
NO. 1:17-CV-106-TWT

ORDER

This is a pro se prisoner civil rights action. The Plaintiff is serving a life sentence for murder. The Plaintiff complains about a false arrest in 2010 and alleged misconduct during his 2010 trial. It is before the Court on the Report and Recommendation [Doc. 4] of the Magistrate Judge recommending dismissing the action. This action is barred by the statute of limitations and *Heck v. Humphrey*. The Court approves and adopts the Report and Recommendation as the judgment of the Court. This action is DISMISSED. The Motion to Proceed in Forma Pauperis [Doc. 11] is DENIED. The appeal is frivolous.

SO ORDERED, this 13 day of April, 2017.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge