

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

LAWRENCE FAUNTLEROY,
DeKalb County No. X1903906,
Plaintiff,

v.

SGT. THOMAS, *et al.*,
Defendants.

Civil Action No.
1:20-cv-00782-SDG

OPINION AND ORDER

This matter is before the Court for consideration of the February 8, 2022 Final Report and Recommendation (R&R) entered by United States Magistrate Judge J. Clay Fuller [ECF 17], which recommends that this action be **DISMISSED** under 28 U.S.C. § 1915A as frivolous and for failure to state a claim. On February 24, Plaintiff Lawrence Fauntleroy objected.¹

A party challenging a report and recommendation issued by a United States Magistrate Judge must file written objections that specifically identify the portions of the proposed findings and recommendations to which an objection is made and must assert a specific basis for the objection. *United States v. Schultz*, 565 F.3d 1353, 1361 (11th Cir. 2009). The district court must “make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to

¹ ECF 19.

which objection is made.” 28 U.S.C. § 636(b)(1); *Jeffrey S. ex rel. Ernest S. v. State Bd. of Educ. of Ga.*, 896 F.2d 507, 512 (11th Cir. 1990).

Absent objection, the district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge,” 28 U.S.C. § 636(b)(1), and need only satisfy itself that there is no clear error on the face of the record. Fed. R. Civ. P. 72(b). “Frivolous, conclusive, or general objections need not be considered by the district court.” *Schultz*, 565 F.3d at 1361 (quoting *Marsden v. Moore*, 847 F.2d 1536, 1548 (11th Cir. 1988)).

Fauntleroy seeks to bring claims under 42 U.S.C. § 1983.² Judge Fuller concluded that the Amended Complaint fails to state a claim under 42 U.S.C. § 1983 for relief for several reasons, including: (1) it does not comply with the Federal Rules of Civil Procedure, Rules 8 and 10 in particular; (2) it seeks to join unrelated claims in a single pleading; and (3) it fails to identify any serious medical need or injury caused by the conduct Fauntleroy challenges.³

Fauntleroy’s objections take issue with the R&R’s conclusion that the Amended Complaint has not plausibly stated a claim.⁴ In large part, the objections

² ECF 16.

³ ECF 17, at 5–9.

⁴ ECF 19.

repeat allegations that are in the amended pleading or make entirely new allegations unrelated to those in his pleading.

Fauntleroy's objections are of the frivolous, conclusive, and general type that the Court need not consider. *Schultz*, 565 F.3d at 1361. Because the Court finds no clear error on the face of the record, the objections are **OVERRULED**, the R&R is **ADOPTED** as the Order of this Court, and the Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 1st day of March, 2022.



Steven D. Grimberg
United States District Court Judge