

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHER DISTRICT OF GEORGIA

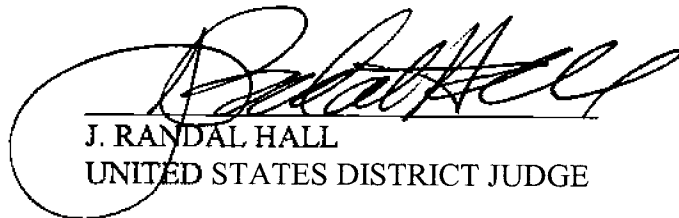
AUGUSTA DIVISION

SOPHONIAS OTHELLO JAHENI,)	
)	
Petitioner,)	
)	
v.)	CV 107-075
)	
HUGH SMITH, Warden, and)	
THURBERT E. BAKER, Attorney General)	
for the State of Georgia,)	
)	
Respondents.)	

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Thurbert E. Baker is **DISMISSED** as an improper party Respondent; Petitioner's motion to amend is **GRANTED IN PART**; the § 2254 petition is **DENIED**; this civil action is **CLOSED**; and a final judgment shall be **ENTERED** in favor of Respondent Smith.

SO ORDERED this 5th day of January, 2009, at Augusta, Georgia.



J. RANDAL HALL
UNITED STATES DISTRICT JUDGE