

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

AUGUSTA DIVISION

CHARLIE HENRY CASTILLO,)
)
 Plaintiff,)
)
 v.) CV 116-076
)
 SGT. MILLS; MAJOR VIRGINIA DURDEN;)
 SGT. HANNAH; SGT. DANFORD;)
 SGT. BROOKINGS; OFFICER BENNETT;)
 SGT. JOHN HILL; SGT. B. READ;)
 OFFICER FNU BELL; FNU DANFORD;)
 FNU PATTERSON; FNU KURTZ;)
 COLONEL HUBERT; SHERIFF)
 CHARLES HUTCHINS;)
 DAY SHIFT FOOD LADY; LT. JOSH;)
 CPL. KELLY GARRER;)
 BWM, Road Officer;)
 BTS, Road Officer; and NURSE MONICA,)
 Individually and in their Official Capacities,)
)
 Defendants.)

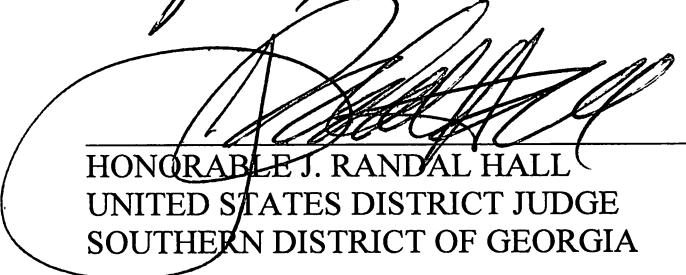
ORDER

Plaintiff, an inmate at the United States Penitentiary in Yazoo City Mississippi, brought the above-captioned case pursuant to 42 U.S.C. § 1983. On November 30, 2016, the Magistrate Judge issued a Report and Recommendation (R&R) recommending Plaintiff's case be dismissed as a sanction for his dishonesty. (Doc. no. 15.) Plaintiff was instructed that any objections to the R&R had to be filed no later than December 19, 2016. (Doc. nos. 15, 16.) As no objections to the R&R were received by the deadline, the Court adopted the R&R on December 20, 2016. (Doc. no. 17.)

On December 28, 2016, the Clerk's Office received and filed Plaintiff's motion for a forty-five day extension of time to file objections.¹ (Doc. no. 19.) On February 16, 2017, the Court vacated the December 20th Adoption Order and granted Plaintiff until March 3, 2017 to file his objections. (Doc. no. 20.) Despite this additional period, Plaintiff has not filed any objections.

Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion (doc. no. 15), **DENIES AS MOOT** Plaintiff's motion to appoint counsel (doc. no. 14), **DISMISSES** this action without prejudice as a sanction for Plaintiff's abuse of the judicial process, and **DIRECTS** the Clerk to **CLOSE** this civil action.

SO ORDERED this 3rd day of April, 2017, at Augusta, Georgia.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹ Pursuant to Houston v. Lack, 487 U.S. 266, 276 (1988), Plaintiff's motion was deemed filed on the date of execution and delivery to prison officials for mailing, which Plaintiff alleges was on December 15, 2016. (See doc. no. 19.)