

**In the United States District Court  
for the Southern District of Georgia  
Brunswick Division**

RICHARD EUGENE JAMES, JR.,

Petitioner,

v.

SHERIFF R.E. CHUCK MOSELEY, and  
TERRY MAYS,

Respondents.

2:23-cv-9

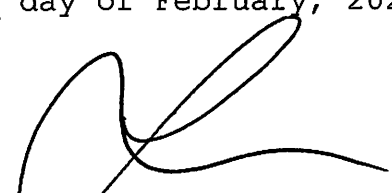
**ORDER**

After an independent and de novo review of the entire record, the Court concurs with the Magistrate Judge's Report and Recommendation. Dkt. No. 4. Petitioner Richard James ("James") did not file Objections to this Report and Recommendation, and the time to do so has elapsed. In fact, the Court's mailing was returned as undeliverable, with the notations: "Return to Sender, Refused by Wayne County Jail, Not in Jail" and "Return to Sender, Attempted-Not Known, Unable to Forward." Dkt. No. 5 at 1.

Thus, I **ADOPT** the Report and Recommendation as the opinion of the Court and **DISMISS without prejudice** James' 28 U.S.C. § 2254 Petition. I also **DIRECT** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal and **DENY** James *in forma*

*pauperis* status on appeal and a Certificate of Appealability.

**SO ORDERED**, this 5 day of February, 2024.



---

HON. LISA GODBEY WOOD, JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA