

# ORIGINAL

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.

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

2013 JUL 10 AM 11:13

DUBLIN DIVISION

CLERK C. Adams  
SO. DIST. OF GA.

HEZEKIAH PAINE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV 313-029
	)	
DEPUTY COMMISSIONER RALPH	)	
KEMP, et al.,	)	
	)	
Defendants.	)	

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## ORDER

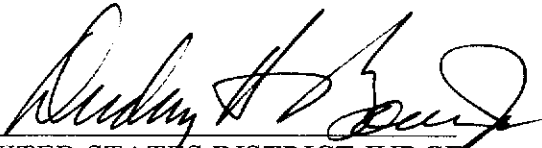
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After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation ("R&R"), to which no objections have been filed. In his R&R, the Magistrate Judge recommended that Plaintiff's complaint be dismissed for failure to comply with the terms of an Order entered on May 8, 2013, that directed Plaintiff to submit an amended complaint within thirty (30) days due to pleading deficiencies. (See generally doc. nos. 19, 20.) Although Plaintiff has now submitted an amended complaint, it is dated June 14, 2013, indicating that Plaintiff did not actually prepare or file it until after the specified deadline expired on June 7, 2013. (Doc. no. 22, p. 5.) Moreover, despite the Magistrate Judge's clear instructions to attach no more than six handwritten pages to the amended complaint (doc. no. 19, p. 4), Plaintiff attached eleven individually-numbered and handwritten pages to the same. (Id. at 6-16.)

In short, Plaintiff's untimely amended complaint is exhibitiv of his persistent and overt non-compliance with Court Orders, and it therefore provides no basis for deviation

from the Magistrate Judge's recommendation that the instant case be dismissed for that very reason. Accordingly, the Magistrate Judge's R&R is **ADOPTED** as the opinion of the Court. Therefore, this case is **DISMISSED** without prejudice, and this civil action is **CLOSED**.

SO ORDERED this 10<sup>th</sup> day of July, 2013, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE