

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

AUGUSTA DIVISION

GERALD DAVIDSON, )  
)  
Plaintiff, )  
)  
v. ) CV 316-025  
)  
)  
WARDEN S. EMMINS, et al., )  
)  
Defendants. )

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GERALD A. DAVIDSON, )  
)  
Plaintiff, )  
)  
v. ) CV 316-028  
)  
)  
WARDEN S. EMMINS, et al., )  
)  
Defendants. )

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**ORDER**

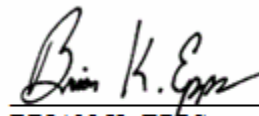
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On March 24, 2016, Plaintiff submitted a complaint brought pursuant to 42 U.S.C. § 1983 in the Northern District of Georgia. Davidson v. Emmins, CV 316-025, doc. no. 1 (S.D. Ga. Mar. 31, 2016). Fourteen days later, on April 7, 2016, Plaintiff submitted another complaint brought pursuant to § 1983 in the Northern District of Georgia. Davidson v. Emmins, CV 316-028, doc. no. 1 (S.D. Ga. Apr. 14, 2016). Both cases were transferred from the Northern District of Georgia to the Southern District of Georgia because both of

Plaintiff's complaints concern events that occurred at Johnson State Prison. CV 316-025, doc. no. 3; CV 316-028, doc. no. 3.

On May 19, 2016, the Court directed Plaintiff to notify the court whether he intended to open CV 316-028 as a separate case or if he merely intended to file an amended complaint in CV 316-025. (Doc. no. 6.) On May 30, 2016, Plaintiff responded that his intention was to combine CV 316-025 with CV 316-028, with CV 316-028 serving as an amendment to CV 316-025. (Doc. no. 7, p. 1.) In light of this information, the Court **DIRECTS** the Clerk to **DISMISS** Davidson v. Emmins, CV 316-028 without prejudice and terminate all pending motions. Additionally, Davidson v. Emmins, CV 316-025 will proceed and the Court **DIRECTS** the **CLERK** to re-docket in that case as an amended complaint the complaint Plaintiff filed in Davidson v. Emmins, CV 316-028, doc. no. 1.

SO ORDERED this 8th day of June, 2016, at Augusta, Georgia.



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BRIAN K. EPPS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA