

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

FILED  
U.S. DISTRICT COURT  
AUGUSTA DIV.  
2016 DEC 27 AM 10:16  
CLERK *J. W. O.*  
SO. DIST. OF GA.

ROGER LEE BAKER, JR., )  
)  
Plaintiff, )  
)  
v. ) CV 316-079  
)  
THE STATE OF GEORGIA; BOBBY G. )  
PETERS, Judge, Talbot County; MARK )  
C. POST, Assistant D.A., Hamilton, Ga.; )  
SAM F. BAILY, Regional (2) Greenville, )  
Georgia, G.B.I.; CATHERINE A. JORDAN, )  
Midland, Ga.; PHILLIP R. WEST, Superior )  
Court, Wheeler County; SARAH F. WALL, )  
Superior Court, Wheeler County; BRENT )  
MYERS, A.A.G.; BRITTANY F. )  
WOOLFOLK, A.A.G.; and NATHAN )  
DEAL, Ga. Governor, )  
)  
Defendants. )

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. Although Plaintiff did file a response to the Magistrate Judge’s Report and Recommendation, it is titled “Not ‘Objection’ to This Honorable Court [sic] Report and Recommendation” and indicates Plaintiff’s desire to dismiss and refile his case. (Doc. no. 9.) Accordingly, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion and

**DISMISSES** this action without prejudice as a sanction.

SO ORDERED this 27<sup>th</sup> day of December, 2016, at Augusta, Georgia.

  
UNITED STATES DISTRICT JUDGE