

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

JERMAINE JOHNSON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CV409-018
)	
STATE OF GEORGIA,)	
)	
Defendant.)	

REPORT AND RECOMMENDATION

Before the Court is Jermaine Johnson's hand-written reproduction of a standard Georgia Superior Court "Speedy Trial Demand" and an accompanying proposed order. Doc. 1 at 1-2. It was filed in the Northern District of Georgia and transferred to this Court. Doc. 2. The document was clearly intended to be filed in a state criminal proceeding.¹ Johnson seeks no relief from this Court, so his filing amounts to a legal nullity.

¹ The caption of the demand reads "IN THE _____ COURT OF _____ STATE OF GEORGIA" and "STATE OF GEORGIA vs. JERMAINE JOHNSON, Defendant." Doc. 1 at 1. The accompanying proposed order reads "ORDER _____ Superior Court," and the signature block states "Judge _____ Superior Court." Doc. 1 at 2.

Consequently, this case should be **DISMISSED** as frivolous, as Johnson is subject to no criminal prosecution in this Court for which he has any speedy trial rights. Johnson is advised to file his speedy trial demand in the appropriate state court.

SO REPORTED AND RECOMMENDED this 9th day of
February, 2009.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA