

U.S. DISTRICT COURT
SAVANNAH, GA.

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

2011 JUL 29 AM 11:26

ZEBEDEE LEGREE,)
)
Plaintiff,)
)
v.)
)
DISTRICT ATTORNEY LARRY)
CHISOLM, individually and in)
his official capacity, and)
DETECTIVE POLITE,)
individually and in his)
official capacity,)
)
Defendants.)
)

CLERK *B. W. J.*
SO. DIST. OF GA.

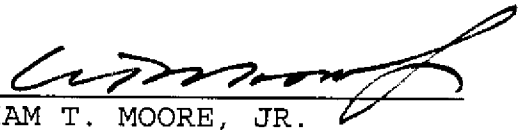
CASE NO. CV411-077

ORDER

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 7), to which objections have been filed (Doc. 11). After a careful de novo review of the record, the Court finds Plaintiff's objections to be without merit. In his complaint and objections, Plaintiff fails to adequately establish the presence of exceptional circumstances that would warrant a federal court intervening in a state court prosecution. See Younger v. Harris, 401 U.S. 37, 49, 53-54 (1971); Perez v. Ledesma, 401 U.S. 82, 85 (1971) ("Only in cases of proven harassment or prosecutions undertaken by state officials in bad faith without hope of obtaining a valid conviction and perhaps in other extraordinary circumstances where irreparable injury

can be shown is federal injunctive relief against pending state prosecutions appropriate."); see also Mitchum v. Foster, 407 U.S. 255, 229-31 (1972). Accordingly, the report and recommendation is **ADOPTED** as the Court's opinion in this case, and Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 29th day of July 2011.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA