

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

KELVIN J. ROBBINS,)

Plaintiff,)

v.)

Case No. CV413-114

UNIVERSAL MUSIC GROUP,)
UNIVERSAL REPUBLIC RECORDS,)
UNIVERSAL MOTOWN RECORDS,)
UNIVERSAL MOTOWN, THE)
ISLAND DEF JAM MUSIC GROUP,)
and SONY MUSIC ENTERTAINMENT)
GROUP,)

Defendants.)

ORDER

In 2013 the Court adopted a Report and Recommendation (“R&R”) urging that this case be dismissed because Robbins had failed to pay the \$100 frivolity bond imposed upon him in *Robbins v. Usher Raymond, IV*, No. CV411-193 (S.D. Ga. Aug. 29, 2011). Doc. 7. Robbins did not object to the R&R, although he had grounds to do so, as he had paid the frivolity bond. (Doc. 4.)

Following the dismissal of his case, Robbins filed eight motions, including one asking the Court to keep this case closed but apply the frivolity bond to another case. (Doc. 19.) The Court denied those motions, explaining that because Robbins failed to object to the R&R, he waived the right to further review. (Doc. 21.) Now, Robbins has filed a motion asking the Court to return his \$100 frivolity bond, “because it was not used for this case.” (Doc. 22.)

In a sense, Robbins is correct, for the Court never accepted the frivolity bond as a precondition for this suit, which was its intended purpose, but instead ordered the dismissal of the suit under the mistaken belief that he had not paid that bond. Because the Court never reached the merits of the complaint, found it to be frivolous, and then ordered the bond forfeit on that ground, the \$100 has essentially been in limbo since its deposit in 2013. Accordingly, the Clerk is DIRECTED to return the \$100 frivolity bond to Robbins.

SO ORDERED this 23rd day of March, 2015.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA