

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

MAURICE LAVELL JOHNSON,)
)
Plaintiff,)
)
v.)
)
NATHAN DEAL, Governor for the)
State of Georgia, and EMILY)
PUHALA, Assistant District)
Attorney,)
)
Defendants.)
_____)

CASE NO. CV417-105

U. S. DISTRICT COURT
Southern District of GA
Filed In Office

8/30^M 2017

Deputy Clerk

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 7), to which objections have been filed (Doc. 9). After a careful de novo review of the record, the Court concludes that Plaintiff's objections are without merit. Accordingly, the report and recommendation is **ADOPTED** as the Court's opinion in this case with the following modification: Plaintiff's complaint is **DISMISSED WITH PREJUDICE**. On August 7, 2017, Plaintiff pled guilty to the offenses that formed the basis of his malicious prosecution claim. As a result, Plaintiff is now precluded from obtaining relief in this case. See Wood v. Kesler, 323 F.3d 872, 881-82 (11th Cir. 2003) (noting that § 1983 claim for malicious prosecution requires that underlying prosecution "terminated in the plaintiff accused's favor"

(citing Uboh v. Reno, 141 F.3d 1000, 1004 (11th Cir. 1998))). The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 30th day of August 2017.



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