

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

SAMMY DAVIS,

Plaintiff,

v.

MICHAEL P. BOGGS, Judge,
Ware Superior Court,

Defendant.

CIVIL ACTION NO.: CV511-022

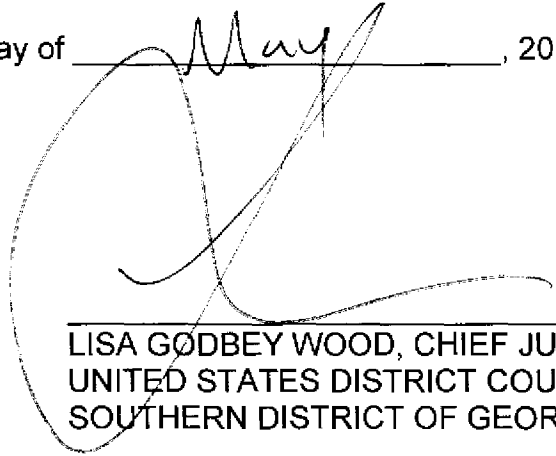
ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which "Objections" were filed. Plaintiff attached to his Objections a Memorandum from Superior Court Judge Michael Boggs. This document reveals that Plaintiff's requested relief from the state court was denied because Plaintiff did not file a motion for his requested relief and because Plaintiff is being represented by counsel. This Memorandum does not reveal that Judge Boggs acted in the clear absence of jurisdiction.

Plaintiff's Objections are **overruled**. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. Plaintiff's Complaint is

DISMISSED for failure to state a claim upon which relief may be granted. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 10 day of May, 2011.

A large, stylized handwritten signature in black ink, appearing to read "Lisa Godbey Wood", is written over a horizontal line. The signature is highly cursive and loops around the line.

LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA