

FILED  
John E. Triplett, Acting Clerk  
United States District Court  
By mgarcia at 8:53 am, Oct 14, 2020

**In the United States District Court  
For the Southern District of Georgia  
Waycross Division**

HONG JAE KIM, \*  
 \*  
 \* Petitioner, \* CIVIL ACTION NO.: 5:20-cv-86  
 \*  
 v. \*  
 \*  
 \* TRACY JOHNS, \*  
 \*  
 \* Respondent. \*

ORDER

After an independent and de novo review of the entire record, the Court concurs with the Magistrate Judge’s Report and Recommendation. Dkt. No. 9. Petitioner Hong Kim (“Kim”) filed Objections to this Report and Recommendation. Dkt. No. 11.

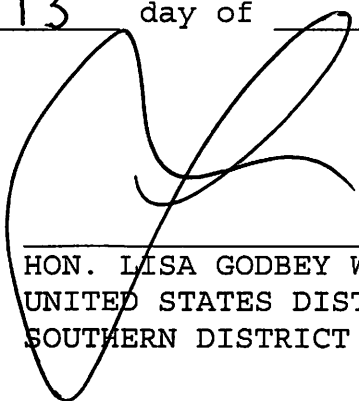
In his Objections, Kim states this Court should not deny as moot Respondent’s Motion to Dismiss. Id. at p. 1. Kim also states he did not respond to the Motion to Dismiss since he already received his requested relief. Id.

Nothing in Kim’s Objections indicates the Magistrate Judge erred in his recommendations. In fact, the Magistrate Judge ordered Kim to respond to the Motion to Dismiss—either by filing his objections thereto or by informing the Court of his decision

not to object. Dkt. No. 8. The Magistrate Judge forewarned Kim his failure to respond to the Motion or Order would result in the Court deeming Kim as failing to follow a Court Order. Id. Despite these directives, Kim filed no response.

The Court **OVERRULES** Kim's Objections and **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court. The Court also **DISMISSES** without prejudice Kim's 28 U.S.C. § 2241 Petition for failure to follow this Court's Order, **DENIES** as moot Respondent's Motion to Dismiss, **DIRECTS** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal, and **DENIES** Kim *in forma pauperis* status on appeal.

SO ORDERED, this 13 day of October, 2020.



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