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U.S. DISTRICT COURT
SAVANNAH DIV.

2012 FEB 13 AM 9: 53

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

ZEFFREY JOHN WALKER,

Plaintiff,

v.

CIVIL ACTION NO.: CV611-131

STATESBORO POLICE DEPARTMENT;
BULLOCH COUNTY SHERIFF'S
DEPARTMENT; and JAMES WINSKEY,

Defendants.

ORDER

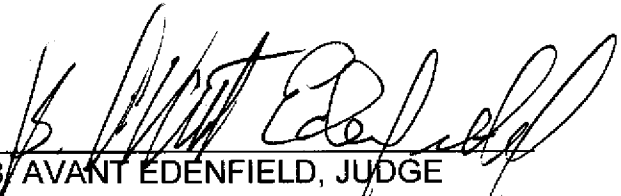
Plaintiff Zeffrey Walker ("Plaintiff") filed Objections to the Magistrate Judge's Report dated January 18, 2012, which recommended that Plaintiff's claims against the Statesboro Police Department and the Bulloch County Sheriff's Department, brought pursuant to 42 U.S.C. § 1983, be dismissed. In his Objections, Plaintiff argues that his criminal case in Bulloch County is being improperly handled and that he is innocent of the charges against him.

After an independent and *de novo* review of the record, the undersigned concurs with the Magistrate Judge's Report and Recommendation. As discussed in Lovelace v. DeKalb Cent. Prob., 144 F. App'x 793, 795 (11th Cir. 2005), and in the Magistrate Judge's Report, the Court of Appeals for the Eleventh Circuit has stated that "[s]heriff's departments and police departments are not usually considered legal entities subject to suit" under § 1983. As a result, the Magistrate Judge determined that Plaintiff cannot

show that he is entitled to relief against the Statesboro Police Department or the Bulloch County Sheriff's Department under § 1983. See FED. R. CIV. P. 8(a)(2). Nothing in Plaintiff's Objections convinces the Court to draw a different conclusion.

Plaintiff's Objections to the Magistrate Judge's Report and Recommendation are without merit and are **overruled**. The Report and Recommendation of the Magistrate Judge is adopted as the Opinion of the Court. Plaintiff's claims against the Statesboro Police Department and the Bulloch County Sheriff's Department are **DISMISSED**.

SO ORDERED, this 13th day of Feb., 2012.


B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA