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

ADRIAN B. RILEY,

Plaintiff,

CIVIL ACTION NO.: 6:15-cv-29

v.

DR. ENI NMWABUEZE; and ROY SABINE, Medical Director at Georgia State Prison,

Defendants.

ORDER

Presently before the Court is the Magistrate Judge's August 15, 2016, Report and Recommendation, (doc. 20), to which Plaintiff failed to file Objections. After a *de novo* review, the Court concurs with the Magistrate Judge's Report and Recommendation and ADOPTS the Report and Recommendation as the opinion of the Court. The Court GRANTS Defendants' Motion to Dismiss, DISMISSES Plaintiff's Complaint, and DIRECTS the Clerk of Court to CLOSE this case and enter the appropriate judgment of dismissal. In addition, the Court DENIES Plaintiff leave to proceed *in forma pauperis* on appeal.

Plaintiff also filed a Motion for Certificate of Appealability. (Doc. 22.) The Court **DISMISSES** Plaintiff's Motion as moot, as a certificate of appealability is not necessary for an appeal of this 42 U.S.C. § 1983 action. Further, Plaintiff filed a Notice of Appeal and his instant Motion rather than Objections to the Magistrate Judge's Report and Recommendation, despite being specifically informed that he was not to do so. (Doc. 20, p. 10.) To the extent either of

these pleadings can be deemed Objections to the Magistrate Judge's Report and Recommendation, the Court **OVERRULES** Plaintiff's "Objections".

SO ORDERED, this 2016.

HONORABLE J. RANDAL HALL

UNITED STATES DISTRICT JUDGE SOUTHERN DISTRICT OF GEORGIA