

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

SCOTT HOLMES,

Petitioner,

v.

STATE OF GEORGIA,

Respondent.

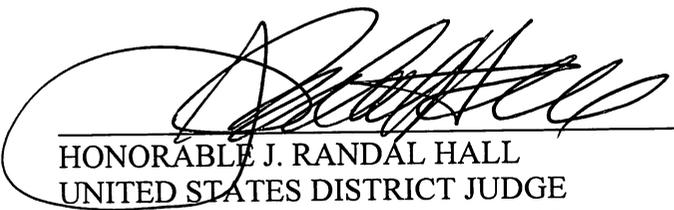
CIVIL ACTION NO.: 6:16-cv-148

ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, (doc. 7), to which Scott Holmes ("Holmes") failed to file Objections.¹ Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court.

The Court **DISMISSES without prejudice** Holmes' 28 U.S.C. § 2254 Petition for Writ of Habeas Corpus, **DIRECTS** the Clerk of Court to **CLOSE** this case and enter the appropriate judgment of dismissal, and **DENIES** Holmes *in forma pauperis* status on appeal and a Certificate of Appealability.

SO ORDERED, this 7th day of March, 2017.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹ After the Magistrate Judge's Report and Recommendation was filed, Holmes filed an "Amendment" and a letter. (Docs. 8, 9.) Plaintiff failed to address the Magistrate Judge's Report and Recommendation in either of these pleadings. Further, even in light of those filings, Holmes' Petition is due to be dismissed.