

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

CRAIG A. JORDAN,

Plaintiff,

v.

ROGERS STATE PRISON; WARDEN
CLAY TATUM; DEPUTY WARDEN FNU
MCFARLANE; JENNIFER CLARK; and
OFFICER SHELIA HOLLAND,

Defendants.

CIVIL ACTION NO.: 6:17-cv-29

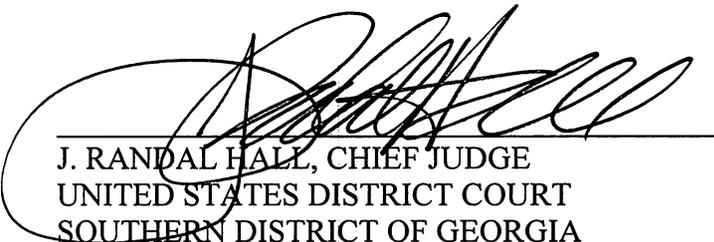
ORDER

Presently before the Court are Plaintiff's Objections to the Magistrate Judge's Report and Recommendation dated May 12, 2017, (doc. 20). In his Objections, Plaintiff essentially attempts to explain away his failure to disclose the cause of action he filed while he was housed at the Paulding County Jail, as required. Plaintiff maintains he was not "imprisoned" at the Paulding County Jail; rather, he was only being held there "for a hearing or two[.]" (Doc. 23, p. 2.) In addition, Plaintiff contends Paulding County Jail is not a prison. However, Plaintiff's assertions overlook the plain language of the Complaint form he submitted to the Court, which requires a prisoner-litigant to disclose all lawsuits filed in federal or state court relating to the conditions of his imprisonment. (Doc. 20, p. 4 (citing Doc. 16, p. 4).) As the Magistrate Judge informed Plaintiff, his attempt to explain his failure to disclose the existence of this lawsuit—particularly when the Court has already dismissed a previously-filed complaint based on Plaintiff's failure to

disclose the same cause of action—is rejected. (*Id.* at p. 5 (quoting *Redmon v. Lake Cty. Sheriff's Office*, 414 F. App'x 221, 226 (11th Cir. 2011).)¹

Thus, after an independent and *de novo* review of the entire record, the Court concurs with the Magistrate Judge's Report and Recommendation. The Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court and **OVERRULES** Plaintiff's Objections. The Court **DISMISSES** Plaintiff's Complaint based on his lack of candor and **DIRECTS** the Clerk of Court to enter the appropriate judgment of dismissal and to **CLOSE** this case. The Court **DENIES** Plaintiff leave to proceed *in forma pauperis* on appeal.

SO ORDERED, this 25th day of July, 2017.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

¹ The term “prisoner” “means any person incarcerated or detained in any facility who is accused of, convicted of, sentenced for, or adjudicated delinquent for, violations of criminal law or the terms and conditions of parole, probation, pretrial release, or diversionary program.” 28 U.S.C. § 1915(h). Accordingly, Plaintiff's detention at the Paulding County Jail was a form of imprisonment, and any lawsuit arising during Plaintiff's detention at this Jail concerning the conditions of his confinement at that Jail qualifies as a lawsuit that Plaintiff should have disclosed.