

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

PRESTON MARZETTE YOUNG,

Plaintiff,

v.

ROBERT ADAMS, JR.; GSP OFFICER
BELL; and OFFICER CRIBS,

Defendants.

CIVIL ACTION NO.: 6:17-cv-62

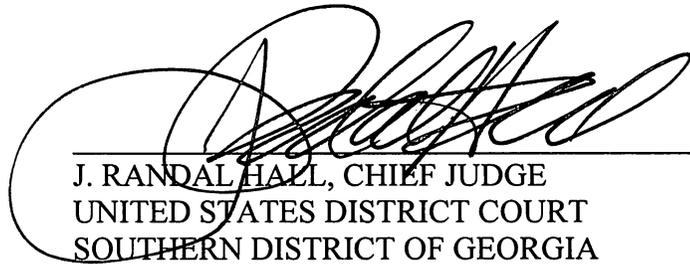
ORDER

Presently before the Court are Plaintiff's Objections to the Magistrate Judge's Report and Recommendation dated May 10, 2017, (doc. 11), as well as Plaintiff's Motion for Leave to Proceed *in Forma Pauperis*, (doc. 12). The Magistrate Judge recommended dismissal of this case, without prejudice, after Plaintiff failed to truthfully disclose his litigation history. In his Objections, (doc. 13), Plaintiff states that he "made an honest mistake" regarding his litigation history as a result of memory loss sustained from head injuries. However, as the Magistrate Judge explained in the Report and Recommendation, "[e]ven where the prisoner has later provided an explanation for his lack of candor", "the Eleventh Circuit has consistently upheld the dismissal of cases where a *pro se* prisoner plaintiff has failed to disclose his previous lawsuits." (Doc. 11, p. 5.) Accordingly, this Court cannot ignore Plaintiff's lack of candor—despite how unintentional his lack of candor may have been.

Therefore, 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 for failure to truthfully disclose his litigation history and **DIRECTS** the Clerk of Court to enter the appropriate judgment of dismissal and to **CLOSE** this case. The Court **DISMISSES as moot** Plaintiff's Motion for Leave to Proceed *in Forma Pauperis*. (Doc. 12.) In addition, 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