JACKSON v. STATE OF NORTH CAROLINA, et al Doc. 12

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NECUS A. JACKSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:12CV746
	)	
THE STATE OF NORTH CAROLINA, LINDA L. FALLS, BETTY J. BROWN, WILLIAM S. REAVIS, JUDGE BRUCE MARTIN, GUILFORD COUNTY,	)	
	)	
Defendants.	)	

ORDER

On August 14, 2012, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Plaintiff filed objections [Doc. #10, #11] to the Recommendation within the time limit prescribed by Section 636.

The Court has reviewed Plaintiff's objections de novo and finds they do not change the substance of the United States Magistrate Judge's Recommendation [Doc. #8] which are affirmed and adopted. The Court notes that in his Objections, Plaintiff contends that he is making a motion for appropriate relief under North Carolina General Statute § 15A-1415(b)(3). However, such a motion must be filed in state court, not in this Court.

IT IS THEREFORE ORDERED that this action is dismissed *sua sponte* without prejudice to Plaintiff filing a new action which corrects the defects of the present action.

This, the 31st day of May, 2013.

James A. Beaty
United States District Judge

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