

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
v.	:	Case No. 5:03-cr-83-CDL-AGH
	:	
EDDIE MILTON GAREY, JR.,	:	
	:	
Defendant.	:	

ORDER

Pending before the Court is Defendant’s motion for judicial notice (ECF No. 583). Defendant appears to introduce evidence and argument that he believes supports his request for compassionate release. *Id.* Given that the Court denied his request for compassionate release (ECF No. 569) as well as several prior motions for judicial notice (ECF No. 581 (denying ECF Nos. 560, 565, 567)), his request for the Court to take judicial notice is **DENIED**. If such evidence becomes relevant to a pending motion or otherwise live issue in the case, the Court will consider at that time whether to take judicial notice of any relevant evidence.

Moreover, the Court is not *required* to take judicial notice. *See, e.g.*, Fed. R. Evid. 201 (explaining that it is within the Court’s discretion to take judicial notice of specific and limited types of facts); *Sharhar v. Bowers*, 120 F.3d 211, 214 (11th Cir. 1997) (“[T]he taking of judicial notice of facts is . . . a highly limited process . . . [because] judicial notice bypasses the safeguards which are involved with the usual process of proving facts by competent evidence in district court.”). Further, Defendant’s motion includes arguments, alleged evidence, and law, all of which fail

to qualify as information that a court would typically judicially notice. *C.f. Abdulsamad v. Dir., Ga. Bureau of Investigation*, No. 25-14071, 2026 WL 1662161, at *4 (11th Cir. June 9, 2026) (declining to take judicial notice because the information could be reasonably disputed and was thus an improper subject for judicial notice). Therefore, to the extent that the Court has the authority to take judicial notice, it declines to do so here. Defendant's motion for judicial notice (ECF No. 583) is consequently **DENIED**.

SO ORDERED, this 18th day of September, 2026.

s/ Amelia G. Helmick
UNITED STATES MAGISTRATE JUDGE