

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

TRAVIS BALL,

Movant,

v.

UNITED STATES OF AMERICA,

Respondent.

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Case No. 5:23-cr-00055-CAR-CHW-1

REPORT AND RECOMMENDATION

In June 2024, the Court entered judgment against Defendant Travis Ball based on his plea of guilty to the charge of mailing a threatening communication in violation of 18 U.S.C. § 876(c). (Doc. 34). Before the Court are three motions filed by Defendant: two motions to dismiss (Docs. 36, 37) and a “motion to unconditional discharge” (Doc. 38). In all three motions, Defendant seeks to have this case dismissed based on a lack of evidence and witnesses and requests that he be immediately released from prison. (Docs. 36-38). Defendant entered a guilty plea on January 19, 2024, and stipulated, under oath, that he was responsible for the crime charged. (Docs. 24, 25). Defendant’s admission of guilt during the plea process “carr[ies] a strong presumption of verity.” *Blackledge v. Allison*, 431 U.S. 63, 74 (1977). Defendant’s motions fail to demonstrate any basis to undermine Defendant’s plea or to make any argument that could be construed as a motion to vacate under 28 U.S.C. § 2255. Accordingly, it is **RECOMMENDED** that Ball’s motions to dismiss (Docs. 36-37) and motion for unconditional discharge (Doc. 38) be **DENIED** without prejudice to his right to seek Section 2255 relief.

OBJECTIONS

Pursuant to 28 U.S.C. § 636(b)(1), the parties may serve and file written objections to this Recommendation, or seek an extension of time to file objections, **WITHIN FOURTEEN (14) DAYS** after being served with a copy thereof. Any objection is limited in length to **TWENTY (20) PAGES**. *See* M.D. Ga. L.R. 7.4. The District Judge shall make a de novo determination of those portions of the Recommendation to which objection is made. All other portions of the Recommendation may be reviewed for clear error.

The parties are further notified that, pursuant to Eleventh Circuit Rule 3-1, “[a] party failing to object to a magistrate judge’s findings or recommendations contained in a report and recommendation in accordance with the provisions of 28 U.S.C. § 636(b)(1) waives the right to challenge on appeal the district court’s order based on unobjected-to factual and legal conclusions if the party was informed of the time period for objecting and the consequences on appeal for failing to object. In the absence of a proper objection, however, the court may review on appeal for plain error if necessary in the interests of justice.”

SO RECOMMENDED, this 30th day of May, 2025.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge