

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

MARCUS OCTAVIOUS SLATON,	:	
	:	
Petitioner,	:	
	:	
v.	:	No. 5:24-CV-175-CAR-CHW
	:	
	:	
WARDEN TIMOTHY SALES,	:	Proceedings under 28 U.S.C. § 2254
	:	
Respondent.	:	
	:	

ORDER ON REPORT AND RECOMMENDATION

Before the Court is the United States Magistrate Judge's Report and Recommendation to grant Respondent's Motion to Dismiss and dismiss Petitioner's habeas petition and his motions for mandamus, construed as amendments to the petition, because Petitioner does not present a federal question or issue, and he has not identified any constitutional issue; moreover, even if Petitioner had raised a federal question or constitutional issue, his claims are procedurally defaulted. Petitioner did not file an objection, and the time in which to do so has expired. Having considered the Recommendation, the Court agrees with the findings and conclusions of the United States Magistrate Judge.

Thus, the Recommendation [Doc. 36] is **ADOPTED** and **MADE THE ORDER OF THE COURT**. Respondent's Motion to Dismiss [Doc. 26] is **GRANTED**; Petitioner's two motions for writ of mandamus [Docs. 19 & 20], construed as amendments to the petition, are **DENIED**; and Petitioner's habeas petition [Doc. 9] is hereby **DISMISSED**. Petitioner's recast petition for writ of habeas corpus raising the same issues [Doc. 37] is **DISMISSED as duplicative**, and his Motion to Request Final Disposition [Doc. 38] is **MOOT**. Additionally, because Petitioner has failed to make a substantial showing of the denial of a constitutional right, a certificate of appealability is **DENIED**.

SO ORDERED, this 10th day of February, 2026.

S/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT