

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

DERRICK BERNARD JACKSON,	:	
	:	
Petitioner,	:	
	:	
v.	:	No. 5:25-CV-485-CAR-CHW
	:	
	:	
WARDEN CURTIS CLARK,	:	Proceedings under 28 U.S.C. § 2254 ¹
	:	
Respondent.	:	
	:	

ORDER ON RECOMMENDATION OF DISMISSAL

Before the Court is the United States Magistrate Judge’s Recommendation to dismiss Petitioner’s habeas petition without prejudice for failure to exhaust his state court remedies and deny his pending motions as moot. Petitioner did not file an objection, and the time in which to do so has expired.² Having considered the Recommendation, the Court agrees with the findings and conclusions of the United States Magistrate Judge. Thus, the Recommendation of Dismissal [Doc. 14] is **ADOPTED** and **MADE THE ORDER OF THE COURT**. Petitioner’s § 2254 habeas

¹ As the Magistrate Judge noted in the Recommendation of Dismissal, Petitioner asserts that he is bringing this petition pursuant to 28 U.S.C. § 2241. But he has been convicted and is currently incarcerated pursuant that conviction and sentence. Thus, his petition is properly considered under 28 U.S.C. § 2254.

² Petitioner filed a motion to extend the time to file an objection [Doc. 15], which the Court granted [Doc. 16], giving Petitioner until May 11, 2026, to file an objection. Petitioner has filed no objection.

petition [Doc. 1] is hereby **DISMISSED without prejudice** for failure to exhaust his state court remedies, and his pending motions [Docs. 4, 5, 6, 8, 10 & 11] are **DENIED AS MOOT**. Additionally, because no reasonable jurist could find that dismissal of this petition is debatable or wrong, and there are no non-frivolous issues to raise on appeal, a certificate of appealability is **DENIED**.

SO ORDERED, this 5th day of June, 2026.

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