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CLEMMONS' ESTATE,)
)
Plaintiff,)
)
v.) **Civil Action No. 06-01657 (RCL)**
)
STATE OF GEORGIA, OFFICE)
OF SOLICITOR, *et al.*,)
)
Defendants.)
)

The complaint filed herein on September 26, 2006 was amended on October 2, 2006, to add two additional defendants. Any further amendment would require leave of Court.

Moreover, upon *sua sponte* review of the allegations of the complaint, it is clear that the same holds true of the remaining defendants—this Court cannot, on the allegations of this amended complaint, exercise personal jurisdiction over any of them. Accordingly, the Clerk's

entry of default [20] against defendant Vernice R. Daley is hereby VACATED since this Court has no personal jurisdiction over defendant Daley. The amended complaint is hereby DISMISSED as to Daley and all other defendants for lack of personal jurisdiction.

The State's alternative motion to transfer [25] is DENIED, since plaintiff could have—but would not have—brought this action in Georgia in the first place.

The State's motion to dismiss [28] for lack of prosecution is DENIED.

The various motions filed by plaintiff for discovery or default [14, 16, 27, 29, 30, 31] are all DENIED AS MOOT.

Plaintiff's motion [17] to add four more defendants—all in Georgia—is DENIED.

Plaintiff's motion [33] for leave to file an untimely appeal, lodged with a notice of appeal, is DENIED, as the Court has not—prior to today—entered an appealable Order.

To the extent that plaintiff's motion [33] for leave to file an appeal out of time might be construed as a motion for recusal, plaintiff's motion for recusal is DENIED.

This action now stands DISMISSED FOR LACK OF PERSONAL JURISDICTION over any named defendant.

This is a final, appealable Order.

SO ORDERED.

Signed by Royce C. Lamberth, United States District Judge, July 13, 2007.