

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, VALDOSTA DIVISION

Sedreick Moore v. James Pearson, et al.

Moore · No. 7:25-CV-00133 (WLS) · Decided February 6, 2026

SUMMARY

The United States District Court for the Middle District of Georgia granted Defendant Joseph Smith and his estate’s motion for judgment on the pleadings in Sedreick Moore’s wrongful-conviction action. The court held that Georgia’s six-year statute of ultimate repose for claims against a decedent’s estate, O.C.G.A. § 9-3-36, barred Moore’s claims because they accrued more than six years after Smith’s death. The claims against Smith and his estate were dismissed with prejudice, while the remaining claims remained pending.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Valdosta Division
WRITING FOR THE COURT	W. Louis Sands, Sr. Judge
JURISDICTION	United States District Court for the Middle District of Georgia, Valdosta Division
DECIDED	February 6, 2026
DOCKET	7:25-CV-00133 (WLS)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendant Joseph Smith and his estate moved under Federal Rule of Civil Procedure 12(c) for judgment on the pleadings, arguing that Georgia's six-year statute of ultimate repose barred Moore's claims. The court granted the motion and dismissed Moore's claims against Smith and his estate with prejudice.
STANDARD OF REVIEW	A Rule 12(c) motion for judgment on the pleadings is reviewed under the same standard as a Rule 12(b)(6) motion. The court accepts well-pleaded factual allegations as true, construes them in the plaintiff's favor, and determines whether the complaint states a plausible claim for relief; legal conclusions and conclusory allegations are not accepted as true. The court may consider an extrinsic document if it is central to the claim and its authenticity is undisputed.

PRECEDENTIAL VALUE	Unknown; federal district court order with no reported citation or precedential designation in the source.
PARTIES	Sedreick Moore v. James Pearson, Georgia Bureau of Investigation, James Harshbarger, Joseph Smith, Estates of James Harshbarger and Joseph Smith, Tommy Raybon, City of Moultrie, Colquitt County

TOPICS

motion for judgment on the pleadings

statute of limitations

statutory interpretation

civil procedure

section 1983

PRACTICE AREAS

civil procedure

civil rights

statutes of repose

statutory interpretation

QUESTIONS PRESENTED

1. Whether Georgia's six-year statute of ultimate repose for claims against a decedent's estate bars claims that accrued more than six years after the decedent's death.
2. Whether Georgia's statute concerning tolling of actions against an unrepresented estate, O.C.G.A. § 9-3-92, tolls or overcomes the statute of ultimate repose in O.C.G.A. § 9-3-36.
3. Whether a factual dispute concerning Joseph Smith's date of death precluded judgment on the pleadings.

HOLDINGS

1. O.C.G.A. § 9-3-36 bars Moore's claims against Joseph Smith and his estate because the claims accrued more than six years after Smith's death and therefore were not actionable.
2. O.C.G.A. § 9-3-92 does not toll or overcome the statute of ultimate repose in O.C.G.A. § 9-3-36.
3. No material factual dispute existed because Moore alleged that Smith died on November 2, 2015, and Smith admitted that date in his answer.

KEY QUOTATIONS

"In sum, under O.C.G.A. § 9-3-36 Plaintiff cannot sue Smith or his estate because more than six years passed between Smith's death and the accrual of the claim and it being brought."

"The 'in no event' language in § 9-3-36 forbids tolling."

"A statute of repose stands as an unyielding barrier to a plaintiff's right of action. The statute of repose is absolute."

FACTUAL BACKGROUND

Moore was convicted of rape and spent more than twenty-three years in prison before a state court granted an extraordinary motion for a new trial based on DNA testing that excluded him as a possible match and evidence

that a witness had repeatedly lied. Moore alleges that Joseph Smith participated in the investigation that led to his conviction. Smith died on November 2, 2015, and Moore alleged that his claims accrued on May 12, 2023, more than six years after Smith's death.

PROCEDURAL HISTORY

Moore filed claims under 42 U.S.C. § 1983, Monell, and Georgia state law in the Northern District of Georgia. The Northern District transferred the action to the Middle District of Georgia on October 20, 2025. After briefing on Smith's Rule 12(c) motion, the court ruled that the motion was ripe and granted it.

DISPOSITION

dismissed

CASES CITED

- *Horsley v. Feldt*, 304 F.3d 1125, 1131 (11th Cir. 2002)
- *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 556, 570 (2007)
- *Edwards v. Prime, Inc.*, 602 F.3d 1276, 1291 (11th Cir. 2010)
- *Rivell v. Priv. Health Care Sys., Inc.*, 520 F.3d 1308, 1309 (11th Cir. 2008)
- *Fin. Sec. Assurance, Inc. v. Stephens, Inc.*, 500 F.3d 1276, 1282 (11th Cir. 2007)
- *Ashcroft v. Iqbal*, 556 U.S. 662, 678-79 (2009)
- *Hill v. White*, 321 F.3d 1334, 1335 (11th Cir. 2003)
- *Sinaltrainal v. Coca-Cola Co.*, 578 F.3d 1252, 1260 (11th Cir. 2009)
- *Aldana v. Del Monte Fresh Produce, N.A., Inc.*, 416 F.3d 1242, 1248 (11th Cir. 2005)
- *Mohamad v. Palestinian Auth.*, 132 S. Ct. 1702 (2012)
- *SFM Holdings, Ltd. v. Banc of Am. Sec., LLC*, 600 F.3d 1334, 1337 (11th Cir. 2010)
- *Simmons v. Sonyika*, 279 Ga. 378, 379-80 (2005)
- *Craven v. Lowndes County Hosp. Auth.*, 263 Ga. 657, 660 (1993)
- *Wright v. Robinson*, 262 Ga. 844, 845-46 (1993)
- *Golden v. Floyd Healthcare Mgmt., Inc.*, 319 Ga. 496, 502-03 (2024)
- *Osburn v. Goldman*, 269 Ga. App. 303 (2004)
- *Perez v. Wells Fargo N.A.*, 774 F.3d 1329 (11th Cir. 2014)

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