

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>TRACY GERARD ALLEN, AIS # 129732,</b>	:	
<b>Plaintiff,</b>	:	
<b>vs.</b>	:	<b>CIVIL ACTION 08-0255-CG-M</b>
<b>ISAAC MOODY, et al.,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a de novo determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is further **ORDERED** that this action be and is hereby **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(g).

**DONE and ORDERED** this 9<sup>th</sup> day of September, 2008.

/s/ Callie V. S. Granade  
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CHIEF UNITED STATES DISTRICT JUDGE