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

TRACY GERARD ALLEN, # 129732,	:	
Plaintiff,	:	
vs.	:	**CIVIL ACTION 09-0137-CG-C**
DR. BARNES,	:	
Defendant.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, 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 **ORDERED** that plaintiff's motion to proceed without prepayment of fees (Doc. 2) be and is hereby **DENIED.** 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 13th day of May, 2009.

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

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