

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

TRACY G. ALLEN, AIS # 129732, :

Plaintiff, :

vs. : **CIVIL ACTION 09-0838-CG-M**

DR. ROBERT 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 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 action be and is hereby **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(g).

DONE and ORDERED this 1st day of March, 2010.

/s/ Callie V. S. Granade

UNITED STATES DISTRICT JUDGE