

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

JAMES BROADHEAD, AIS #224802, :
Plaintiff, :
vs. : CIVIL ACTION 11-0494-CG-N
CHRISTOPHER EARL, et al., :
Defendants. :

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. 3) 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 February, 2012.

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