

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

<b>DARRYL D. RIGGINS, #184051,</b>	:	
<b>Plaintiff,</b>	:	
<b>vs.</b>	:	<b>CIVIL ACTION 14-0542-KD-N</b>
<b>CORIZON, INC., et al.,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

After due and proper consideration of the issues raised, and a *de novo* determination of those portions of the recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B)-(C) and dated March 6, 2015, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that this action is **dismissed without prejudice**, prior to service of process, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as malicious and that this action be counted as a strike for the purpose of 28 U.S.C. § 1915(g). As such, it is further **ORDERED** that Riggins's motion for a preliminary and permanent injunction (Doc. 5) is **denied as moot**.

**DONE** and **ORDERED** this the 20th day of March 2015.

/s/ Kristi K. DuBose  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**