

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

DONNIE E. SHROPSHIRE, #175941,  
Plaintiff,

v.

STANDARD FURNITURE CO.,  
Defendant.

:  
:  
:  
:  
:  
:  
:  
:  
:

CIVIL ACTION 15-00073-KD-B

ORDER

After due and proper consideration of the issues 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) and dated March 6, 2015, is **ADOPTED** as the opinion of this Court.

Accordingly, it is **ORDERED** that Plaintiff's motion to proceed without prepayment of fees (Doc. 2) is **DENIED**, this action is **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), and this action shall be counted as a strike for purposes of future IFP eligibility under Section 1915(g) in that it is malicious.

**DONE and ORDERED** this the 6<sup>th</sup> day of April 2015.

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