

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

DONNIE E. SHROPSHIRE, #175941,
Plaintiff,

v.

STANDARD FURNITURE CO.,
Defendant.

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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 **6th** day of **April 2015**.

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