

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

LARYIE EARL JONES, AIS #156610,)	
)	
Plaintiff,)	
)	
vs.)	CIV. ACT. NO. 1:20-cv-79-TFM-N
)	
KATHY SIPPER, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

On March 20, 2020, the Magistrate Judge entered a Report and Recommendation (Doc. 4).¹ Plaintiff filed a “Motion to Object” dated March 26, 2020 and docketed on April 1, 2020 (Doc. 7) which the Court construes as objections timely filed.

To the extent Plaintiff requests the appointment of counsel, the Court **DENIES** the request. Next, Plaintiff complains about not receiving Documents 1, 2, and 3, the Court notes that those documents are Plaintiff’s own filings initiating this lawsuit – his original § 1983 complaint (Doc. 1), the motion to proceed *in forma pauperis* (Doc. 2), and his signature page (Doc. 3). The Clerk of Court is **DIRECTED** to provide a copy of the docket sheet with this order. Therefore, that objection is without merit. Finally, the rest of his objections appear to be reiterations of his original complaint that he is being wrongfully incarcerated. However, none of these objections address the issues raised by the Report and Recommendation under 28 U.S.C. § 1915(g). Therefore, his objections are **OVERRULED**.

¹ The Court entered an order of referral on March 24, 2020 which was entered after the Report and Recommendation. *See* Doc. 6. However, these cases are automatically referred to the Magistrate Judge pursuant to S.D. Ala. GenLR 72(a)(2)(R). The order of referral is simply a paper-based order so that all parties, including those proceeding *pro se*, are aware of the referral. Therefore, the Report and Recommendation.

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation (Doc. 4) is **ADOPTED** as the opinion of the Court. Accordingly, it is **ORDERED** that this action is **DISMISSED without prejudice**, prior to service of process, pursuant to 28 U.S.C. § 1915(g).

DONE and ORDERED this 30th day of April, 2020.

/s/Terry F. Moorer
TERRY F. MOORER
UNITED STATES DISTRICT JUDGE