

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION**

JOHN W MANN,

Plaintiff,

v.

CASE NO. 5:15-cv-00126-MP-GRJ

J BOWDEN, RANDALL BRYANT,  
DAVIS, PAYNTER,

Defendants.

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**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated June 12, 2015, (Doc. 5). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). Petitioner has filed objections at Doc. 6. I have made a de novo review based on those objections. Additionally, the following motions are pending,

- Doc. 2, Motion for leave to proceed in forma pauperis;
- Doc. 3, emergency motion for preliminary injunction;
- Doc. 7, Motion to Rule on Doc. 3;
- Doc. 8, Emergency Motion; and
- Doc. 9, Motion to Inform Court.

Having considered the Report and Recommendation, and the timely filed objections, I have determined that the Report and Recommendation should be adopted. The Court agrees with the Magistrate Judge that plaintiff fails to allege immediate, substantial risk of serious

bodily injury with any specificity. Thus, the Report and Recommendation correctly recommends that he does not escape the three-strikes rule. His motions similarly fail to specify any immediate, substantial risk of serious bodily injury. Additionally, they fail to show exhaustion of administrative remedies and would be improperly joined to this law suit. Finally, plaintiff has been transferred to a different facility. See Doc. 10.

Accordingly, it is hereby

**ORDERED AND ADJUDGED:**

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. This matter is dismissed without prejudice pursuant to the three-strikes bar at 28 U.S.C § 1915(g).
3. The motions at Docs. 2, 3, 7, 8 and 9, are denied.

**DONE AND ORDERED** this 26<sup>th</sup> day of August, 2015

*s/Maurice M. Paul*  
Maurice M. Paul, Senior District Judge