## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA MACON DIVISION

DENVER FENION ALLEN,	)
Plaintiff,	) )
v.	) CIVIL ACTION NO. 5:17-CV-301 (MTT)
CENTRAL STATE HOSPITAL, et al.,	) )
Defendants.	) )

## <u>ORDER</u>

United States Magistrate Judge Charles H. Weigle recommends that Plaintiff

Denver Fenton Allen's motion to proceed *in forma pauperis* be denied and that his

complaint be dismissed. Doc. 9 at 1, 6. The Magistrate Judge found Allen has filed at

least three prior federal law suits that were dismissed as frivolous, malicious, or for

failure to state a claim and, accordingly, that the "three strikes provision" of 28 U.S.C.

1915(g) bars him from proceeding IFP. *Id.* Further, the Magistrate Judge found Allen's

generalized and vague allegations were insufficient to meet the imminent danger

exception to the three strikes provision. *Id.* at 6. Allen objected to the recommendation,

but, in that objection, Allen threatened the Court and law enforcement. Doc. 10 at 3.

Therefore, the Court informed Allen that his objection would not be considered and

ordered him to file a proper objection.<sup>1</sup> Doc. 11. Allen, however, failed to comply with

the Court's order and has not filed a proper objection for the Court to consider. And

<sup>&</sup>lt;sup>1</sup> Allen's complaint contained similar threats. Doc. 1 at 11.

thus, absent a proper objection, the Court has reviewed the Recommendation and accepts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation (Doc. 9) is **ADOPTED** and made the order of this Court. Allen's motion to proceed IFP (Doc. 2) is **DENIED**, and his complaint (Doc. 1) is **DISMISSED** without prejudice. If he wishes to pursue his claim, Allen will need to refile paying the full filing fee. Alternatively, he may refile stating specific facts showing that, at his current place of confinement, he is under imminent danger of serious physical injury.<sup>2</sup>

SO ORDERED, this the 13th day of March, 2018.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

<sup>&</sup>lt;sup>2</sup> In his complaint, Allen stated he was confined to Central State Hospital and Baldwin State Prison, and his complaints related to his confinement there. *See generally* Doc. 1. However, Allen is now confined to Valdosta State Prison.