

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

DAVID TATE,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CASE NO.: 7:09-CV-142 (WLS)
	:	
OFFICER BLANTON, WARDEN ORR, AND COUNSELORS ROWLAND AND D. WATERS,	:	
	:	
Defendants.	:	
	:	

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**ORDER**

Before the Court is a Report and Recommendation from United States Magistrate Judge G. Mallon Faircloth, filed December 17, 2009. (Doc. 4). It is recommended that Plaintiff's Motion for Leave to Proceed *In Forma Pauperis* (Doc. 1) be granted. It is additionally recommended that the claims asserted in Plaintiff's Complaint (Doc. 2) against Defendants Rowland and Waters be dismissed for failure to state a valid cause of action. No objection has been filed to date.

Upon full review and consideration upon the record, the Court finds that said Report and Recommendation (Doc. 4) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Defendant's Motion for Leave to Proceed *In Forma Pauperis* (Doc. 1) is **GRANTED**, and the

claims asserted in Plaintiff's Complaint (Doc. 2) against Defendants Rowland and Waters are **DISMISSED**.

**SO ORDERED**, this 13<sup>th</sup> day of January, 2010.

/s/ W. Louis Sands  
**THE HONORABLE W. LOUIS SANDS,**  
**UNITED STATES DISTRICT COURT**