

FILED IN CHAMBERS
U.S.D.C. - Atlanta
JAN 14 2019
 James H. Hester, Clerk
[Signature] Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF GEORGIA
 ATLANTA DIVISION

| | | |
|-------------------------------|---|-----------------------|
| ROBERT ANTHONY SMITH, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | CIVIL ACTION FILE NO. |
| | : | 1:18-CV-4995-ODE-RGV |
| GREGORY DOZIER, Commissioner | : | |
| Georgia Dept. of Corrections; | : | |
| WARDEN DELOACH; ROGERS S.P., | : | |
| et al., | : | |
| | : | |
| Defendants. | : | |


ORDER

This pro se civil case is before the Court on the Final Report and Recommendation of United States Magistrate Judge Russell G. Vineyard filed November 21, 2018 [Doc. 3] ("R&R"). No objections have been filed.

In the R&R, Judge Vineyard recommends that this action be dismissed without prejudice. Specifically, Judge Vineyard found that Plaintiff, while, incarcerated, has filed at least three prior cases that were dismissed for failure to state a claim, and that Plaintiff's complaint does not satisfy the "imminent danger" exception to 28 U.S.C. § 1915(g). Therefore, the case is due to be dismissed.

The Court having read and considered the R&R and noting the absence of any objections thereto, it is ADOPTED as the opinion and order of the Court. For the reasons set forth in the R&R, this case is DISMISSED WITHOUT PREJUDICE.

SO ORDERED, this 11 day of January, 2019.



ORINDA D. EVANS
UNITED STATES DISTRICT JUDGE