

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

DWIGHT L. ALLEN,

Plaintiff,

v.

CIVIL ACTION NO.: CV210-076

STATE OF GEORGIA; THURBERT
BAKER, Attorney General, in his
individual and official capacities;
CAMDEN COUNTY; CITY OF
ST. MARYS; AMANDA F. WILLIAMS,
Judge, individually and in her official
capacity; STEPHEN KELLEY and
DIANNE DODDS, District Attorneys' office,
individually and in their official capacities;
County Commissioners PRESTON
RHOVES, KATHERINE ZELLS;
STEPHEN BERRY; CHARLENE SEARS;
DAVID RAINER, all individually and in their
official capacities; TOMMY GREGORY,
Sheriff; City Council members JERRY
LOCKHART, L. J. WILLIAMS, GARY
BLOUNT, BILL DELOUGHY, LARRY
JOHNSON, BULL WEAVER, individually
and in their official capacities; ROWLAND
ESKRIDGE, Mayor, individually and in
official capacity; BRENT GREEN, County
Attorney, individually and in his official
capacity; SUSAN L. WALDRON,
Clerk Superior Court, individually and in
her official capacity; and JOHN DOE,
City Manager, individually and in his/her
official capacity,

Defendants.

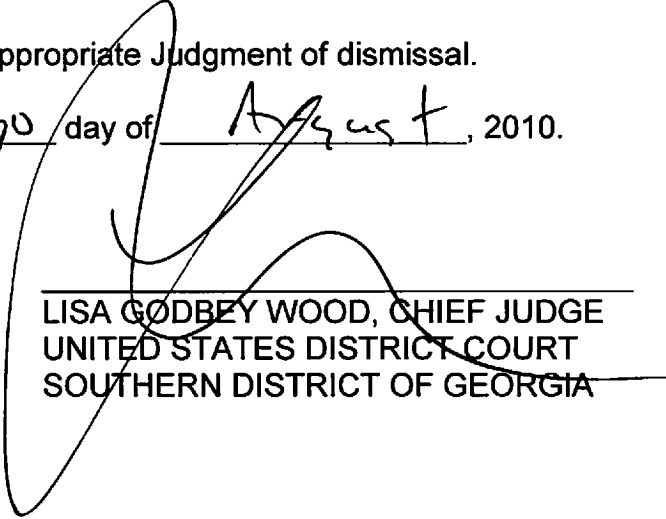
ORDER

After an independent and *de novo* review of the record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have

been filed. In his Objections, Plaintiff asserts that he meets the "imminent danger of serious physical injury" exception of 28 U.S.C. § 1915(g) because he is a convicted sex offender, and "convicted sex offenders' lives are always in immediate danger of being killed by other inmates." (Doc. No. 10, p. 1). "General allegations that are not grounded in specific facts which indicate that serious physical injury is imminent are not sufficient to invoke the exception to § 1915(g)." Miller v. Meadows, No. 5:05-CV-29 (CAR), 2005 WL 1983838, at *2 (M.D. Ga. Aug. 11, 2005); see also McAlphin v. Toney, 281 F.3d 709 (8th Cir. 2002). The mere status of being an incarcerated sex offender is not enough to meet the imminent danger exception of § 1915. See Johnson v. Johnson, No. 4:09-CV-07 (CDL), 2009 WL 1158836 (M.D. Ga. Apr. 27, 2009)

Plaintiff's Objections are without merit. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Plaintiff's 42 U.S.C. § 1983 complaint is **DISMISSED** without prejudice. Should Plaintiff wish to pursue his claims, he may re-submit his Complaint along with the \$350.00 filing fee. The Clerk is authorized and directed to enter the appropriate Judgment of dismissal.

SO ORDERED, this 30 day of August, 2010.



LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA