

ORIGINAL

FILED
U.S. DISTRICT COURT
AUGUSTA DIV.

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

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DUBLIN DIVISION

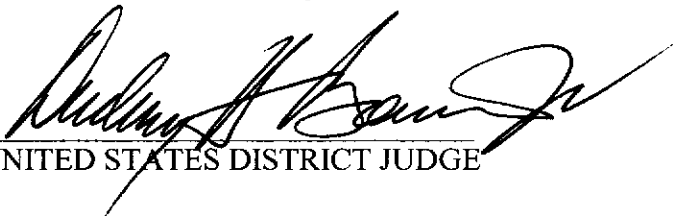
CLERK C. Adams
SO. DIST. OF GA.

KEITH HENDERSON,)	
)	
Plaintiff,)	
)	
v.)	CV 312-092
)	
JOSE MORALES, et al.,)	
)	
Defendants.)	

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's request to proceed IFP is **DENIED** (doc. no. 2), and this action is **DISMISSED**. If Plaintiff wishes to proceed with this civil action, he must submit a new complaint, along with the full filing fee. Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002) (*per curiam*). Furthermore, Plaintiff is enjoined from seeking to proceed IFP again absent sworn allegations that he is in "imminent danger."¹

SO ORDERED this 9th day of November, 2012, at Augusta, Georgia.


UNITED STATES DISTRICT JUDGE

¹Though the instant complaint was ostensibly brought as a petition for habeas corpus relief pursuant to 28 U.S.C. § 2254, the Magistrate Judge correctly construed it as a complaint brought under 42 U.S.C. § 1983. (See doc. no. 4, pp. 2-4.)