

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

ANTHONY WAYNE ALLEN,

Plaintiff,

v.

DON JARRIEL, Acting Warden,

Defendant.


CIVIL ACTION NO.: CV610-094

ORDER

After an independent and *de novo* review, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Plaintiff asserts that Defendant Jarriel, as warden, is "responsible for, not only his actions, but also the actions of every employee at his individual prison." (Doc. No. 12, p. 4).

Plaintiff's Objections are without merit and underscore the fact that Plaintiff seeks to hold Defendant Jarriel liable based solely on his position as warden. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. Plaintiff's Complaint is **DISMISSED** for failure to state a claim. The Clerk of Court is directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 14 day of April, 2011.


B. AVANT EDENFIELD, JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA