

FILED
U.S. DISTRICT COURT
SAVANNAH, GA.

2011 JUL 20 AM 9:24

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

CLERK *RW*
SO. DIST. OF GA.

WARREN SKILLERN,

Plaintiff,

v.

CIVIL ACTION NO.: CV611-071

GORDON COUNTY DISTRICT
ATTORNEY; CHEROKEE COUNTY
DISTRICT ATTORNEY; GEORGIA
DEPARTMENT OF CORRECTIONS
COMMISSIONER; Warden CHATMAN;
and Deputy Warden PAUL,


Defendants.

ORDER

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which Objections have been filed. In his Objections, Plaintiff reiterates that he meets the "imminent danger" exception to the three strikes rule, because stress caused from his allegedly wrongful conviction may cause him to have a heart attack in the future. Even if the relationship between Plaintiff's stress from this incident and an assured heart attack was substantiated, Plaintiff would still not be able to maintain this lawsuit because it is barred by Heck v. Humphrey, 512 U.S. 477 (1994).

Plaintiff's Objections are without merit and are **OVERRULED**. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. Plaintiff's complaint is **DISMISSED**. The Clerk is authorized and directed to enter the appropriate Judgment of dismissal.

SO ORDERED, this 26 day of July, 2011.



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