

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

U.S. DISTRICT COURT  
STATESBORO, GA.

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CLERK *RW*  
SO. DIST. OF GA.

WARREN SKILLERN,

Plaintiff,

vs.

CIVIL ACTION NO.: CV611-078

GEORGIA STATE PATROL;  
Sgt. MARTIN, Georgia State  
Patrol; Major WILLIAMS;  
GEORGIA STATE PATROL; and  
THERESA S. BARNES, Clerk,  
Georgia Supreme Court,

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 contends that Defendant Martin threatened him with death if he did not admit making a threat against the Georgia Supreme Court. In Plaintiff's Complaint, he stated that Defendant Martin threatened him by saying he would die in prison if he did not admit to making a threat against the Georgia Supreme Court. (Doc. No. 1, p. 1). The assertion Plaintiff now makes in his Objections undermines any contention that Plaintiff was in imminent danger of serious physical injury at the time he filed his Complaint. Plaintiff also asserts that Defendant Barnes' actions caused him stress, and this stress will cause him to suffer another heart attack "at any moment", which is what doctors have "prognosticated". (Doc. No. 8, p. 1).

According to Plaintiff's many causes of action, which have been filed with this Court over the past year and a half (or even longer), doctors have been prognosticating that Plaintiff will have another heart attack. (See CV CV610-14, CV610-65, CV611-27, CV611-85, CV611-78, and CV611-88). Plaintiff's repeated assertions in this regard only serve as notice that he was not, in fact, in imminent danger of serious physical injury at the time he filed those causes of action, nor at the time he filed his Complaint in this case.

The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. Plaintiff's Complaint is **DISMISSED**, without prejudice. Should Plaintiff wish to proceed with his contentions, he may do so by resubmitting his Complaint along with the entire filing fee. The Clerk of Court is authorized to enter the appropriate judgment of dismissal.

SO ORDERED, this 29<sup>th</sup> day of August, 2011.

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