

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

2012 JAN -3 AM 9:01
FILED

WARREN SKILLERN,

Plaintiff,

v.

CIVIL ACTION NO.: CV611-112

DOCTOR BROOM and JOHN 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 contests the Magistrate Judge's "apparent belief" that he must show he was in imminent danger of serious physical injury. (Doc. No. 8, p. 1). Plaintiff asserts that, "No matter how often [Judge] Graham requires [Plaintiff] to prove his imminent danger allegations," the Eleventh Circuit Court of Appeals has stated that imminent danger allegations must be taken as true. (*Id.*) Plaintiff adds that Judge Graham "is sounding like a broken record." (*Id.*) Plaintiff also asserts that, if the Court does not wish for him to die, then the Court does not believe his contentions that he is imminent danger of serious physical injury.

It is not the Magistrate Judge's "belief" that a plaintiff with three (3) strikes under 28 U.S.C. § 1915(g) must show he is in imminent danger of serious physical injury at the time he files a complaint before he can proceed without paying the entire filing fee; rather, it is the requirement of the law. If the Magistrate Judge sounds like a broken

record, it is because he, along with every other judicial officer in this District, is forced to address Plaintiff's numerous, baseless, and repetitive claims of imminent danger in an attempt to avoid the three strikes provision.

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

SO ORDERED, this 2 day of Jan, 2012



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