

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:13-CV-354-H

KIMBERLY ANN SHREVE,)
)
 Plaintiff,)
)
 v.)
)
 KRISTEN LYNN FETTER, et al.,)
)
 Defendants.)
)
)

ORDER

This matter is before the court for frivolity review pursuant to 28 U.S.C. § 1915(e)(2). Magistrate Judge William A. Webb filed an Order and Memorandum and Recommendation ("M&R") on June 17, 2013, ordering that plaintiff's motion to proceed in forma pauperis be granted and recommending that the underlying complaint be dismissed as frivolous and for lack of jurisdiction. Plaintiff filed objections on July 1, 2013 and July 26, 2013. The court has carefully considered plaintiff's objections.

A full and careful review of the M&R and other documents of record convinces the court that the recommendation of the magistrate judge is, in all respects, in accordance with the law and should be approved. The court also notes that plaintiff has

filed two prior complaints in this court with allegations similar to the instant matter. Both those cases were also dismissed. See Shreve v. Fetter, et al., 5:11-CV-157-H; Shreve v. RPD, et al., 5:09-CV-353-F.

Accordingly, the court adopts the recommendation of the magistrate judge as its own; and for the reasons stated therein, the plaintiffs' complaint is dismissed as frivolous for lack of jurisdiction and for failure to state a claim upon which relief may be granted. The clerk is directed to close the case.

This 7th day of October 2013.



Malcolm J. Howard
Senior United States District Judge

At Greenville, NC
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