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**UNITED STATES DISTRICT COURT**

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**EASTERN DISTRICT OF TEXAS**

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DAN COFFMAN,

Plaintiff,

*versus*

KAREN L. DENNIS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:08-CV-610

**MEMORANDUM ORDER OVERRULING PLAINTIFF’S OBJECTIONS AND  
ADOPTING THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Plaintiff Dan Coffman, an inmate confined at the Stiles Unit, proceeding *pro se*, brought this lawsuit pursuant to 42 U.S.C. § 1983 against Karen L. Dennis, Bridghett G. Eddie, William Pittman, Latonia Y. Jones, and Darinda Wheeler.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends this action be dismissed pursuant to 28 U.S.C. § 1915(g).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. Plaintiff filed objections to the magistrate judge’s Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, the court concludes Plaintiff’s objections are without merit. As the magistrate judge found, the allegations set forth in the complaint do not demonstrate Plaintiff is in “imminent danger of serious physical injury” as is required to proceed *in forma pauperis* under 28 U.S.C. § 1915(g). *See Banos v. O’Guin*, 144 F.3d 883, 884 (5th Cir. 1998).

**ORDER**

Accordingly, Plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 13th day of February, 2009.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE