UNITED STATES DISTRICT COURT	EASTERN DISTRICT OF TEXAS
ANTHONY LEON SUMMERS,	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
Plaintiff,	§ § §
versus	§ CIVIL ACTION NO. 1:09-CV-10
NATHANIEL QUARTERMAN, et al.,	8 § 8
Defendants.	§ §

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

Plaintiff Anthony Leon Summers, an inmate confined at the Stiles Unit, proceeding *pro se*, brought this lawsuit against Nathaniel Quarterman, U.T.M.B. Medical Staff, Steven Rich, Jeff Baldwin, Debra M. Harrell, Kent Dickerson, and Gatta Harmon.

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 without prejudice 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.¹ 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. For the reasons stated in the Report, Plaintiff is barred from proceeding with this action on an *in forma pauperis* basis pursuant to 28 U.S.C. § 1915(g).

Plaintiff filed a motion to amend his complaint following the Report and Recommendation of the magistrate judge. The motion was granted by the magistrate judge. Liberally construed, plaintiff's amended complaint is interpreted as objections to the Report.

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 24th day of March, 2010.

Marcia a. Crone.

MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE