

objections are without merit. Plaintiff has not demonstrated that he is in imminent danger of serious physical injury. Therefore, the action should be dismissed without prejudice.

ORDER

Accordingly, plaintiff's objections (document nos. 12 and 13) are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge (document no. 9) is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

So Ordered and Signed

Jun 17, 2019



Ron Clark, Senior District Judge