

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

ROBERT JOSEPH BLAKE,

Plaintiff,

v.

CIVIL ACTION NO. 2:10-cv-01089

REV. WILLIAM ALLEN, et al.,

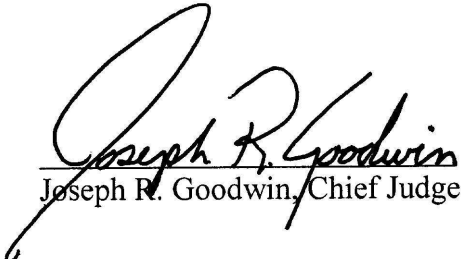
Defendants.

**MEMORANDUM OPINION AND ORDER**

After this *pro se* action was dismissed with prejudice at the plaintiff's request [Docket 9], the plaintiff filed an Amended Complaint asserting the same claims that were set forth in the original Complaint. Accordingly, the court dismissed the action with prejudice [Docket 13], pursuant to 28 U.S.C. § 1915(e)(2) (directing the court to dismiss a case filed by a plaintiff seeking to proceed *in forma pauperis* if it determines that the action is "frivolous or malicious" or "fails to state a claim upon which relief may be granted"). The plaintiff has now filed another Amended Complaint [Docket 14] asserting identical claims for relief. Because the complaint is barred by *res judicata*, the court **DISMISSES** the Amended Complaint with prejudice pursuant to § 1915(e)(2).

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER:      November 18, 2010

  
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Joseph R. Goodwin, Chief Judge