

U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED

Nov 21 1 33 PM '00

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Mark Rathburn,
Plaintiff

v.

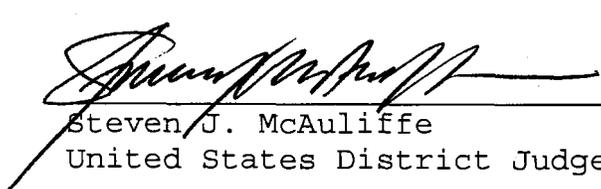
Merrimack County
Department of Corrections,
Defendant

Civil No. 99-609-M
Opinion No. 2000 DNH 247X

O R D E R

I herewith approve the Report and Recommendation (document no. 8) of Magistrate Judge Muirhead dated May 23, 2000. This dismissal counts as a strike against the plaintiff under 28 U.S.C. § 1915(g).

SO ORDERED.


Steven J. McAuliffe
United States District Judge

November 21, 2000

cc: Mark Rathburn, pro se

X