

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RICHARD SHEPARD,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 2:13cv499-WKW
)	(WO)
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER ON MOTION

Before the court is petitioner Richard Shepard’s motion requesting that the undersigned recuse herself from this civil action on the ground that she “has personal bias and prejudice against Mr. Shepard and therefore could not preside with the required degree of detached impartiality... .” (Doc. No. 22 at 1.)

Title 28 § 455(a) requires a judge to recuse “in any proceeding in which his impartiality might reasonably be questioned.” 28 U.S.C. § 455(a). Section 455(b)(1) requires a judge to recuse “[w]here he has a personal bias or prejudice concerning a party[.]” 28 U.S.C. § 455(b)(1). “Under § 455, the standard is whether an objective, fully informed lay observer would entertain significant doubt about the judge’s impartiality.” *Christo v. Padgett*, 223 F.3d 1324, 1333 (11th Cir. 2000).

I find that a reasonable person would not entertain significant doubt about my impartiality in discharging my duties as a judge in this case. Any findings and rulings that I have entered in this case have been based on the merits of the case and reached upon full

consideration of the parties' pleadings and the record. Shepard's claim of personal bias and prejudice against him is unfounded.

Therefore, it is

ORDERED the Shepard's motion for recusal (Doc. No. 22) be and is hereby DENIED.

DONE, this 29th day of September, 2015.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
CHIEF UNITED STATES MAGISTRATE JUDGE