

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>GREGORY L. DANIELS,</b>	:	
<b>Plaintiff,</b>	:	
<b>vs.</b>	:	<b>Civil Action 08-0399-CG-B</b>
<b>MICHAEL J. ASTRUE,</b>	:	
<b>Defendant.</b>	:	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to Gregory L. Daniels' motion for leave to appeal in forma pauperis, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(3) is **ADOPTED** as the opinion of this court. It is **CERTIFIED** that this appeal is not taken in good faith in that the petitioner has failed to show that he has a non-frivolous issue to be presented to the Eleventh Circuit Court of Appeals. Therefore, petitioner's motion for leave to appeal in forma pauperis (Doc. 24) is **DENIED**.

**DONE and ORDERED** this the 16th day of March, 2010.

/s/ Callie V. S. Granade  


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 UNITED STATES DISTRICT JUDGE