

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

**JODY O’NEIL HARRISON,**  
**Plaintiff,**

vs.

**GRANT CULLIVER, et al.,**  
**Defendants.**

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**CIVIL ACTION NO. 09-00283-KD-C**

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(3) and dated December 8, 2011 is **ADOPTED** as the opinion of this Court. As Plaintiff’s appeal is not taken in good faith, see 28 U.S.C. § 1915(a)(3), it is **ORDERED** that Plaintiff’s motion for leave to appeal *in forma pauperis* (Doc. 92) is **DENIED**.

**DONE and ORDERED** this the 3<sup>rd</sup> day of **January 2012**.

/s/ Kristi K. DuBose  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**