

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

<b>ELAINE MAHAN,</b>	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION 09-00535-KD-B</b>
	)	
<b>MOBILE HOUSING BOARD,</b>	)	
<b>Defendant.</b>	)	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to Plaintiff Elaine Mahan’s Motion for Leave to Appeal *In Forma Pauperis* (Doc. 54), and there having been no objections filed, the Report and Recommendation of the Magistrate Judge dated April 14, 2011 (Doc. 58) and made pursuant to 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 Plaintiff’s appeal is without arguable merit either in law or fact. Therefore, Plaintiff Elaine Mahan’s Motion for Leave to Appeal *In Forma Pauperis* (Doc. 54) is **DENIED**.

**DONE and ORDERED** this the 2<sup>nd</sup> day of **May 2011**.

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