

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

<b>HAYWOOD HOUSTON,</b>	:	
<b>Plaintiff,</b>	:	
	:	
<b>vs.</b>	:	<b>CIVIL ACTION 11-678-CG-M</b>
	:	
<b>GWENDOLYN GIVENS, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

After due and proper consideration of all portions of this action deemed relevant to the issues raised, 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 **ORDERED** that the plaintiff's motion for leave to appeal in forma pauperis is hereby **DENIED** because the appeal is frivolous, without arguable merit and not taken in good faith.

**DONE** and **ORDERED** this 3rd day of April, 2013.

/s/ Callie V. S. Granade  
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UNITED STATES DISTRICT JUDGE