

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION

TRAVIS LAND DAVIS

PLAINTIFF

VS.

Civil No. 1:13-cv-1056

TREY PHILLIPS, *et al*

DEFENDANTS

**ORDER**

Before the Court is the Report and Recommendation filed December 12, 2013, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 19). Judge Bryant recommends that Plaintiff's Motion for Leave to Appeal *in forma pauperis* (ECF No. 17) be denied because the appeal is not taken in good faith and is not timely. *See* 28 U.S.C. § 1915(a)(3); Federal Rule of Appellate Procedure 4.

The parties have not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). Therefore, the Court adopts the Report and Recommendation *in toto*. Plaintiff's Motion for Leave to Appeal *in forma pauperis* (ECF No. 17) is **DENIED**. Plaintiff may renew his motion for leave to appeal IFP with the Court of Appeals for the Eighth Circuit. Fed. R. App. P. 24(a). The Clerk is directed to collect the \$505.00 appellate filing fee from Davis pursuant to the provisions of the Prison Litigation Reform Act.

**IT IS SO ORDERED**, this 6th day of January, 2014.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge