

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

MARCUS FIELDS

PLAINTIFF

v.

Case No. 11-2186

CAROL WEBB, *et al.*

DEFENDANTS

**ORDER**

Now on this 24th day of January 2012, there comes on for consideration the report and recommendation filed herein on December 15, 2011, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 11). Also before the Court are Plaintiff's objections (doc. 12).

The court has reviewed this case *de novo* and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Plaintiff's Motion to Appeal IFP (doc. 9) is DENIED as the appeal is not taken in good faith, 28 U.S.C. § 1915(a)(3). The U.S. District Clerk is directed to collect the \$455 filing fee pursuant to the terms of the Prison Litigation Reform Act. Plaintiff may, of course, renew his motion for leave to appeal IFP with the Court of Appeals for the Eighth Circuit. Fed. R. App. P. 24(a).

IT IS SO ORDERED.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge