

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

DAVID STEBBINS

PLAINTIFF

v.

Case No. 3:12-CV-03022

BOONE COUNTY, ARKANSAS; and
SHERIFF DANNY HICKMAN

DEFENDANTS

ORDER

Currently before the Court is Plaintiff David Stebbins's Motion to Disqualify Judge (Doc. 79).

Mr. Stebbins argues that Magistrate Judge James Marschewski has demonstrated an animus against him by entering a report and recommendations in various of Mr. Stebbins's other cases filed in this District, recommending that Mr. Stebbins not be granted leave to proceed *in forma pauperis*. The Court cannot find that those reports and recommendations are evidence of an animus held by Judge Marschewski against Mr. Stebbins. Rather, they are Judge Marschewski's recommendations to this Court based on his review of the applicable law. The fact that Mr. Stebbins disagrees with or does not like Judge Marschewski's recommendations does not create grounds for disqualification. Mr. Stebbins has filed objections to those reports and recommendations, which have been considered by the Court.

Mr. Stebbins does not give any other grounds for why it is "abundantly clear" that the Court holds an animus against him, and the Court is otherwise unaware of any grounds warranting disqualification from this case.

IT IS THEREFORE ORDERED that Mr. Stebbins's Motion to Disqualify Judge (Doc. 79),

is DENIED.

IT IS SO ORDERED this 9th day of July, 2013.

/s/ P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE