

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

DAVID STEBBINS

PLAINTIFF

v.

Case No. 3:13-CV-03068

RHONDA WATKINS, Boone County Circuit
Clerk; and STATE OF ARKANSAS

DEFENDANTS

ORDER

Currently before the Court is a letter sent by Plaintiff David Stebbins addressed to “U.S. District Clerk.” In the letter, Mr. Stebbins requests that his complaint “be sent to a judge *other than* P.K. Holmes, and to a magistrate judge *other than* James Marschewski. It has become abundantly clear that those judges hold an animus against me because of all the lawsuits I have filed . . .” (Doc. 3). The Court construes Mr. Stebbins’s letter as a Motion for Recusal, which the Court finds should be denied.

In his letter, Mr. Stebbins references motions to recuse he filed on the same date in other cases before this Court. In those motions, Mr. Stebbins argues that Magistrate Judge James Marschewski has demonstrated an animus against him by entering a report and recommendation 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 will be 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 for Recusal, as construed, (Doc. 3) is DENIED.

IT IS SO ORDERED this 3rd day of July, 2013.

P. K. Holmes, III

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