

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

DOUGLAS DANCER

PLAINTIFF

V.

CASE NO. 10-CV-4118

BRENT HALTOM,  
Prosecuting Attorney, et al.

DEFENDANTS

**JUDGMENT**

Before the Court is the Report and Recommendation filed May 2, 2011, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. (Doc. 17). Judge Bryant recommends that Plaintiff Douglas Dancer's Motion to Proceed *in forma pauperis* ("IFP") on Appeal (Doc. 14) be denied. Dancer has responded with timely objections. (Doc. 18). After reviewing the record *de novo*, the Court adopts Judge Bryant's Report and Recommendation as its own.

In his objections to the Report and Recommendation, Plaintiff states that he wants to appeal the dismissal of his case because he objects to the "State of [Arkansas] charg[ing] him with a sexual charge." However, Dancer failed to file a notice of appeal as required by Federal Rule of Appellate Procedure 4(a)(1)(A).<sup>1</sup> Moreover, the claims in Plaintiff's complaint are frivolous and/or asserted

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<sup>1</sup>Dancer filed a Motion for Leave to Appeal IFP. (Doc. 14). Plaintiff did not, however, file a notice of appeal, despite two letters to Plaintiff advising him of his need to file a notice of appeal. *See* Docs. 15 and 16).

against individuals immune from suit or who were not state actors. (*See* Docs. 10 and 12). Thus, Plaintiff's appeal is not taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

The Court has reviewed Dancer's objections and finds no merit in the objections. Accordingly, for reasons stated herein and above, as well as those contained in Judge Bryant's Report and Recommendation (Doc. 17), Plaintiff Dancer's Motion for Leave to Proceed IFP on Appeal (Doc. 14) is **DENIED**.

**IT IS SO ORDERED**, this 31st day of May, 2011.

/s/ Harry F. Barnes  
Hon. Harry F. Barnes  
United States District Judge