

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

TOMMY HALL

PLAINTIFF

v.

Case No. 4:11-CV-04056

TEXARKANA, ARKANSAS, POLICE DEPARTMENT;  
and PROSECUTING ATTORNEY CARLTON JONES

DEFENDANTS

**ORDER**

On this 19th day of April, 2012, there comes on for consideration the Report and Recommendations (Doc. 26) filed in this case on March 15, 2012, by the Honorable Barry A. Bryant, United States Magistrate for the Western District of Arkansas. Also before the Court are Plaintiff's objections (Doc. 27).

The Court has reviewed this case and, being well and sufficiently advised, finds as follows: Plaintiff's objections offer neither law nor fact requiring departure from the Report and Recommendations. Dismissal of Plaintiff's case because his claims were barred by the three-year statute of limitations remains appropriate. Furthermore, the Court's Order of January 24, 2012, denying Plaintiff's Motion for Reconsideration, effectively and completely addressed all of the arguments made by Plaintiff in his objections to the Magistrate's Report and Recommendations. Therefore, pursuant to 28 U.S.C. § 1915(a)(3), an *in forma pauperis* appeal from the Order of Dismissal of October 21, 2011, would not be taken in good faith, as Plaintiff's underlying claims were clearly barred.

As the Report and Recommendation (Doc. 26) is proper and should be and hereby is **ADOPTED IN ITS ENTIRETY**, Plaintiff's request for leave to appeal *in forma pauperis* (Doc.

23) is **DENIED**. The Clerk is directed to collect the \$455 filing fee pursuant to the terms of the Prison Litigation Reform Act. Plaintiff may renew his motion for leave to appeal *in forma pauperis* with the Court of Appeals for the Eighth Circuit. Fed. R. App. P. 24(a).

IT IS SO ORDERED this 19th day of April, 2012.

*P. K. Holmes, III*

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