

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

SANTOS MENDOZA a/k/a
GERARDO MENDOZA CASTELLON

PLAINTIFF

v.

Case No. 4:16-cv-4029

SERGEANT WISE; BOOKING OFFICER JONES;
LIEUTENANT HEATH ROSS; BOOKING OFFICER
TODD WILLY; MAIL LADY DAVIS

DEFENDANTS

ORDER

Before the Court is the Report and Recommendation filed June 8, 2016 by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (ECF No. 10). The Court finds this matter ripe for its consideration

Plaintiff filed an application to proceed in forma pauperis when he filed his Complaint. (ECF No. 2). In his list of assets on the application, Plaintiff indicated that he owned real estate and a building valued at \$68,000. The Court directed Plaintiff to complete and return a form indicating whether he owes any money on the building worth \$68,000. (ECF No. 3). Plaintiff filed a response, indicating that he does not owe any money on the property. (ECF No. 6). Accordingly, Judge Marschewski recommends that Plaintiff's application to proceed in forma pauperis be denied on the basis of his assets.

The parties have not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1). The Court adopts the Report and Recommendation *in toto*. Accordingly, Defendant's Motion for Leave to Proceed In Forma Pauperis (ECF No. 5) should be and hereby is **DENIED**. The Clerk is directed to process the filing fee.

IT IS SO ORDERED, this 11th day of July, 2016.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge