

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

MICHAEL SHANE WILMOTH

PLAINTIFF

v.

Civil No. 10-5048

DEPUTY LOCKHART, ET AL.

DEFENDANTS

O R D E R

Now on this 7th day of September, 2012, comes on for consideration the **Report and Recommendation of the Magistrate Judge** (document #165), recommending that the plaintiff's motion for leave to appeal in forma pauperis be denied (document #160). The Court has thoroughly reviewed the Report and Recommendation, along with plaintiff's objections. Being well and sufficiently advised, the Court finds that the recommendation is sound in all respects, and plaintiff has stated neither law nor fact to refute it.

IT IS THEREFORE ORDERED that the **Report and Recommendation of the Magistrate Judge** (document #165) is **adopted in toto**;

IT IS FURTHER ORDERED that, for the reasons stated in the Report and Recommendation of the Magistrate Judge, the plaintiff's motion for leave to appeal in forma pauperis (document #60) is **denied**.

IT IS SO ORDERED.

/s Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE