

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

ROBERT SAYRES

PLAINTIFF

v.

Civil No. 10-5139

TIM HELDER

DEFENDANT

O R D E R

NOW on this 15th day of August 2011, comes on for consideration the **Magistrate Judge's Report and Recommendation** (Doc. 25) to which no objections have been filed. The Court has reviewed the Report and Recommendation and finds it sound in all respects.

IT IS THEREFORE ORDERED that Magistrate Judge's Report and Recommendation (Doc. 25) is hereby **adopted in toto**;

IT IS FURTHER ORDERED that, for the reasons stated in the Magistrate Judge's Report and Recommendation, Plaintiff's Motions to Proceed IFP on appeal (Docs. 21 and 22) are hereby **DENIED** as untimely and because plaintiff's appeal of the Court's Order dismissing his case (Doc. 15) is not taken in good faith.

IT IS SO ORDERED.

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