

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

RICHARD PERCEFULL

PLAINTIFF

v.

Case No. 12-6040

CHRIS CLAYBAKER, Mayor, Camden  
Arkansas; LIEUTENANT BAILY, Malvern  
Police Department; GREGORY CRAIN,  
Hot Springs County Public Defender  
AND MAYOR NORTHCUTT, Malvern, Arkansas

DEFENDANTS

**ORDER**

Now on this 4th day of February 2013, there comes on for consideration the report and recommendation of the Honorable James R. Marschewski. (Doc. 16). Also before the Court are Plaintiff's objections (doc. 17). The Court has fully considered Plaintiff's objections and reviewed this case *de novo*.

The Court, being well and sufficiently advised, finds that the report and recommendation is proper and should be adopted in its entirety. Accordingly, the motion for leave to appeal IFP (doc. 14) is DENIED as the appeal is not taken in good faith, 28 U.S.C. § 1915(a)(3). The Clerk is directed to collect the \$455 filing fee under the PLRA. Plaintiff may renew his motion for leave to appeal IFP with the Court of Appeals for the Eighth Circuit, as well as his request for counsel.

IT IS SO ORDERED.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge