

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

MARIAM MALONE COLETTE
MARTINEZ,

Plaintiff,

-vs-

Case No. 6:09-cv-802-Orl-22GJK

OFFICER YONG C. HALL, and OFFICER
ARRIAGE,

Defendants.

ORDER

This case is before the Court on Plaintiff's Motion to Appeal *in forma pauperis* (Doc. No. 78) filed October 12, 2010. The United States Magistrate Judge has submitted a report recommending that the motion be denied.


After an independent *de novo* review of the record in this matter, and consideration of Plaintiff's "Objection" to the Report and Recommendation,¹ the Court overrules Plaintiff's objection. The Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

1. That the Report and Recommendation filed October 14, 2010 (Doc. No. 79) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Court **certifies** that Plaintiff's appeal is not taken in good faith.

¹ Plaintiff filed a "Motion to Objection" attached to a copy of the Report and Recommendation at docket entry 80. The Motion to Objection is interpreted as Plaintiff's objection to the Report and Recommendation.

3. Plaintiff's Motion to Appeal *in forma pauperis* is **DENIED** pursuant to 28 U.S.C. § 1915(a)(3).

DONE and ORDERED in Chambers, Orlando, Florida this 9th day of November, 2010.



JOHN ANTOON II
United States District Judge

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party