

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

ROY L. SMARTT,

Plaintiff,

v.

Case No: 6:16-cv-1667-Orl-40DCI

NATIONAL PERSONNEL RECORDS
CENTER and SCOT LEVINS,

Defendants.

_____ /

ORDER

This cause is before the Court on Plaintiff's Motion to Appeal *in forma pauperis* (Doc. 18) filed on March 15, 2017. 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 noting that no objections were timely filed, 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. The Report and Recommendation filed March 20, 2017 (Doc. 20), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Motion to Appeal *in forma pauperis* (Doc. 18) is **DENIED**.
3. The Court **CERTIFIES** the appeal is not taken in good faith.
4. The Clerk is **DIRECTED** to notify the Eleventh Circuit in accordance with Fed. R. App. P. 24(a)(4).

DONE AND ORDERED in Orlando, Florida on April 5, 2017.


PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties