

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

HELEN FERGUSON,

Plaintiff,

v.

CASE NO. 8:16-cv-3460-T-23AEP

GETTEL ACURA,

Defendant.

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**ORDER**

The magistrate judge recommends (Doc. 68) denying Helen Ferguson's motion (Doc. 65) for permission to appeal *in forma pauperis*. Ferguson objects (Doc. 72) to the report and recommendation. A de novo review of the report and recommendation reveals that Ferguson's objections are unfounded, unpersuasive, or anticipated by the magistrate judge. The objections require no different resolution. Accordingly, Ferguson's objections (Doc. 72) are **OVERRULED**, and the report and recommendation (Doc. 68) is **ADOPTED**. Ferguson's motion (Doc. 65) to proceed on appeal *in forma pauperis* is **DENIED**. In accord with Rule 24, Federal Rules of Appellate Procedure, the clerk is directed to notify the court of appeals.

Under Rule 24(a)(5), within thirty days of service of this order, Ferguson can move in the court of appeals to proceed on appeal *in forma pauperis*. The motion under Rule 24(a)(5) must include a copy of the affidavit (Doc. 65) submitted in the

district court and the district court's statement of reasons for denying the motion to proceed on appeal *in forma pauperis*.

ORDERED in Tampa, Florida, on October 20, 2017.



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STEVEN D. MERRYDAY  
UNITED STATES DISTRICT JUDGE