

**MINUTE ENTRY**  
**JUDGE ROBERT G. JAMES**  
**UNITED STATES DISTRICT JUDGE**  
**October 5, 2009**

RECEIVED  
USDC, WESTERN DISTRICT OF LA.  
TONY B. MOORE, CLERK

DATE 10/6/09 IN THE UNITED STATES DISTRICT COURT

BY DA FOR THE WESTERN DISTRICT OF LOUISIANA

**MONROE DIVISION**

**CHRISTOPHER L. CARR**

**CIVIL ACTION NO. 09-1080**

**VERSUS**

**JUDGE ROBERT G. JAMES**

**WARDEN NEWCOMER, ET AL.**

**MAG. JUDGE KAREN L. HAYES**

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Under FED. R. CIV. P. 23(f), the Plaintiff may apply to the Fifth Circuit for permission to appeal the Court's September 15, 2009, order [Doc. No. 18] affirming Magistrate Judge Hayes's August 24, 2009, order denying his Motion to Certify Class. The Court notes, however, that it affirmed Magistrate Judge Hayes's order subject to reconsideration should the case survive initial review pursuant to 28 U.S.C. §§ 1915, 1915A, and 42 U.S.C. § 1983.

RGJ

