

**MINUTE ENTRY
JUDGE ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE**

October 5, 2009

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TONY B. MOORE, CLERK

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

BY DD **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

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

