

JAN 27 2015

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MALCOLM JAMES SIMON

LA. DOC # 532876

VS.

CIVIL ACTION NO. 6:13-cv-0784

SECTION P

JUDGE DOHERTY

NATHAN CAIN, WARDEN

MAGISTRATE JUDGE HILL

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

This Court hereby **certifies** that Petitioner's appeal is not taken in good faith under 28 U.S.C. § 1915(a)(3) and Rule 24(a) of the Federal Rules of Appellate Procedure. Accordingly, Petitioner's Motion to Proceed in *forma pauperis* on Appeal [rec. doc. 31] is **denied**.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 27 day of January, 2015.


REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE

COPY SENT
DATE 1/27/15
BY [Signature]
TO RFD/CG