

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

|  |   |                    |
|--|---|--------------------|
| HERMAN PATTERSON,                      | ) |                    |
|  | ) |                    |
| Petitioner,                            | ) |                    |
| vs.                                    | ) | NO. CIV-12-0738-HE |
|  | ) |                    |
| MARTIN VAUGHN, Warden, <i>et al.</i> , | ) |                    |
|  | ) |                    |
| Respondents.                           | ) |                    |

**ORDER**

Petitioner Herman Patterson, a prisoner appearing *pro se*, filed a motion seeking leave to proceed *in forma pauperis* (“*ifp*”). After Magistrate Judge Robert L. Bacharach, who was assigned the matter, recommended that the motion be denied, petitioner paid the filing fee. The magistrate judge then vacated his prior Report and Recommendation and recommended that plaintiff’s *ifp* motion be dismissed as moot. Petitioner did not object to the Report and Recommendation.

Accordingly, the court adopts Magistrate Judge Bacharach’s Report and Recommendation and petitioner’s motion to proceed *ifp* [Doc. #2] is **DISMISSED** as being **MOOT**.

**IT IS SO ORDERED.**

Dated this 8th day of August, 2012.

  
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 JOE HEATON  
 UNITED STATES DISTRICT JUDGE