

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


**KEITH CUNNINGHAM,** )  
 )  
 **Plaintiff,** )  
 )  
 v. )  
 )  
 **CITY OF WAUKOMIS POLICE** )  
 **DEPARTMENT,** )  
 )  
 **Defendant .** )

**Case No. CIV-17-1294-R**

**ORDER**

This matter is before the Court pursuant to the Report and Recommendation entered by Magistrate Judge Bernard M. Jones on January 3, 2018. Doc. No. 10. Judge Erwin recommended that Plaintiff’s motion for leave to proceed *in forma pauperis* be denied and Petitioner ordered to pay the full filing fee of \$400.00. On January 19, 2018, the Court received the \$400.00 filing fee from Plaintiff. Accordingly, the undersigned adopts the Report and Recommendation, denies the Motion for Leave to Proceed *In Forma Pauperis* and re-refers this matter to Magistrate Judge Jones for further proceedings consistent with the original referral entered herein.

IT IS SO ORDERED this 22<sup>nd</sup> day of January 2018.

  
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DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE