

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Lavadre Butler, #337779,)	
<i>a/k/a Lavadre D. Butler,</i>)	
<i>a/k/a Lavadre Dashun Butler,</i>)	C/A No: 4:16-cv-3662-RMG
Plaintiff,)	
v.)	ORDER and OPINION
Trevor Bessinger,)	
Lisa Young,)	
Gregory Washington,)	
Mr. Escalyne,)	
Mr. Suarez,)	
Mr. Braddy,)	
Mr. Shorter,)	
Mr. Williams,)	
Mr. Wilson,)	
Defendants.)	
)	

This matter comes before the Court on the Report and Recommendation (“R & R”) of the Magistrate Judge. (Dkt. No. 7). The Magistrate Judge has recommended that the Court deny Plaintiff’s motion for leave to proceed *in forma pauperis* because Plaintiff reported on his application to proceed *in forma pauperis* that he has approximately \$30,000 in a savings account. (Dkt. No. 2.) The Court has also reviewed Plaintiff’s objections to the R & R. (Dkt. No. 9). Plaintiff says he is unable to access the funds in his savings account while incarcerated because he does not have access to legal counsel to whom he could assign power of attorney to retrieve those funds. Plaintiff has asked this Court to appoint counsel for him for this purpose. As outlined in the R & R, Plaintiff is responsible for paying the required filing fees if he has the funds to do so. If Plaintiff is unable to retrieve the funds on his own, Plaintiff has the ability to hire counsel for the purpose of retrieving those funds.

For these reasons, the Court agrees with the Magistrate's recommendation so **ADOPTS** the R & R as the order of the Court. The Court **DENIES** Plaintiff's motion for leave to proceed *in forma pauperis* and orders Plaintiff to pay the required filing fees to proceed with this litigation.

AND IT IS SO ORDERED.



Richard M. Gergel
United States District Court Judge

February 6, 2017
Charleston, South Carolina