

ORDERED that the Defendants' objections are overruled and the report of the magistrate judge (docket no. 260) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the Defendants' motion to revoke Plaintiff's *in forma pauperis* status (docket no. 197) is **DENIED**. It is further

ORDERED that this Court is of the opinion, and so finds, that this order involves a controlling question or questions as to which there is substantial ground for difference of opinion and an immediate appeal from this order may materially advance the ultimate termination of the litigation. 28 U.S.C. §1292(b). The questions presented are whether the three-strikes provision of 28 U.S.C. §1915(g) may be applied to strikes issued after a case was filed and, more generally, the latitude given to the district court to revoke *in forma pauperis* status in a lawsuit based on the plaintiff's actions in other lawsuits or appeals taken after the original lawsuit was filed.

SIGNED this 7th day of March, 2016.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE