

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**DEROVENS MITCHELL,**

Plaintiff,

v.

**GRACIE V. KENNEDY, et al.,**

Defendants.

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Civil Action No. **3:13-CV-2460-L**

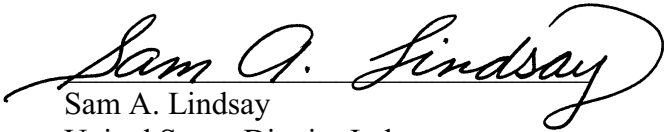
**ORDER**

Plaintiff Derovens Mitchell (“Plaintiff”) brought this action, pursuant to 42 U.S.C. § 1983, seeking redress regarding alleged civil rights violations pertaining to child support enforcement. The case was referred to Magistrate Judge David L. Horan, who entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on August 15, 2013, recommending that the case be dismissed with prejudice, pursuant to 28 U.S.C. § 1915(e)(2) as frivolous. No objections to the Report were filed.

Having reviewed the pleadings, file, record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions of the magistrate judge are correct and **accepts** them as those of the court. Accordingly, the court **dismisses with prejudice** Plaintiff’s claims and this action. The court **certifies** that any appeal of this action would not be taken in good faith and **denies** a certificate of appealability. *See* 28 U.S.C. § 1915(a)(3). In support of this finding, the court **adopts and incorporates** by reference the Report. *See Baugh v. Taylor*, 117 F.3d 197, 202 n.21 (5th Cir. 1997). Based on the Report, the court finds that any appeal of this

action would present no legal point of arguable merit and would therefore be frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983).

**It is so ordered** this 4th day of September, 2013.

  
Sam A. Lindsay  
United States District Judge