

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

MARTISHA RANSOM, #0342185,	§	
Plaintiff,	§	
	§	
v.	§	3:15-CV-0979-D
	§	
JUDGE JENNIFER BALIDO, et al.,	§	
Defendants.	§	

ORDER


After making an independent review of the pleadings, files, and records in this case, and the findings, conclusions, and recommendation of the magistrate judge, the court concludes that the findings and conclusions are correct. It is therefore ordered that the findings, conclusions, and recommendation of the magistrate judge are adopted. This action is summarily dismissed with prejudice for failure to state a claim on which relief may be granted. *See* 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b). This dismissal counts as a “strike” or “prior occasion” within the meaning of 28 U.S.C. § 1915(g).

The court prospectively certifies that any appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3). In support of this finding, the court adopts and incorporates by reference the magistrate judge’s findings, conclusions, and recommendation. *See Baugh v. Taylor*, 117 F.3d 197, 202 n.21 (5th Cir. 1997). Based on the findings and recommendation, 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). If plaintiff appeals, she may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of the Court, United States Court of Appeals

for the Fifth Circuit. *See Baugh*, 117 F.3d at 202; Fed. R. App. P. 24(a)(5).

SO ORDERED.

May 27, 2015.



SIDNEY A. FITZWATER
UNITED STATES DISTRICT JUDGE