

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

**ROYAL DOUGLAS ROBINSON,**  
**TDCJ #2066342,**

Plaintiff,

v.

**AUGUSTUS CORBETT and**  
**STANLEY R. MAYS,**

Defendants.

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Civil Action No. **3:17-CV-2931-L-BN**

**ORDER**

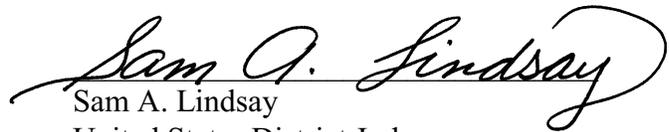
On October 26, 2017, United States Magistrate Judge David L. Horan entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”), recommending that this action be dismissed with prejudice under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim on which relief may be granted and, for the same reason, deny Plaintiff’s Motion for Appointment of Counsel (Doc. 7) and Plaintiff’s First Request for Production of Documents (Doc. 8), both of which were filed October 24, 2017. Plaintiff filed objections to the Report, which were docketed on November 7, 2017.

Having reviewed the pleadings, record in this case, and Report, and having conducted a de novo review of that portion of the Report to which objection was made, 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 **overrules** Plaintiff’s objections; **denies** Plaintiff’s Motion for Appointment of Counsel (Doc. 7); **denies** Plaintiff’s First Request for Production of Documents (Doc. 8); and

**dismisses with prejudice** this action under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim on which relief may be granted.

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 certification, the court **incorporates** by reference the Report. *See Baugh v. Taylor*, 117 F.3d 197, 202 and n.21 (5th Cir. 1997). The court **concludes** 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). In the event of an appeal, Plaintiff may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with the clerk of the United States Court of Appeals for the Fifth Circuit. *See Baugh*, 117 F.3d at 202; Fed. R. App. P. 24(a)(5).

**It is so ordered** this 30th day of November, 2017.

  
Sam A. Lindsay  
United States District Judge