

United States District Court
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

KANDACE A. WELLS

v.

YOUTUBE, LLC

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CIVIL ACTION NO. 3:20-CV-2849-S-BH

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case [ECF No. 41] regarding Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs [ECF No. 40]. Plaintiff filed an objection [ECF No. 42]. The District Court reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objections were made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding no error, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

Considering the record in this case and the recommendation of the Magistrate Judge, the Court hereby finds and **ORDERS**:


The request for leave to proceed ^{Doc. 44} *in forma pauperis* on appeal is **DENIED** because the Court **CERTIFIES** pursuant to Fed. R. App. P. 24(a)(3) and 28 U.S.C. § 1915(a)(3) that the appeal is not taken in good faith. In support of this certification, the Court incorporates by reference the findings, conclusions, and recommendation filed in this case on May 17, 2021 [ECF No. 30]. Based on that filing, this Court finds that the appeal presents no legal points of arguable merit and is therefore frivolous.

Although this Court has denied leave to proceed *in forma pauperis* on appeal, the plaintiff may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with

the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). *See* Fed. R. App. P. 24(a)(5).

SO ORDERED.

SIGNED July 13, 2021.



UNITED STATES DISTRICT JUDGE