IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

JIM B. ESTES,	§	
TDCJ No. 1003415,	§	
	§	
Plaintiff,	§	
	§	
v.	§	**Civil Action No. 7:20-cv-00098-M-BP**
	§	
JOSEPH M. EASTRIDGE, *et al.*,	§	
	§	
Defendants.	§	

ORDER ACCEPTING FINDINGS AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

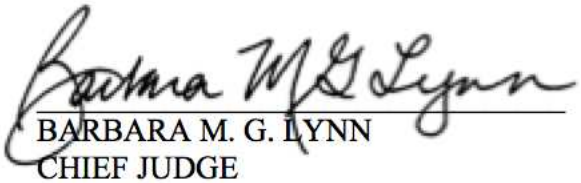
The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case. No objections were filed. The District Court reviewed the proposed Findings, Conclusions, and Recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

It is therefore **ORDERED** that Plaintiff's Motion to Proceed In Forma Pauperis filed on September 1, 2021 (ECF No. 29) and Motion Seeking Leave to Proceed In Forma Pauperis on Appeal filed on September 14, 2021 (ECF No. 31) are **DENIED**.

The Court **CERTIFIES** that the appeal of this action is not 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 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 the appeal of this action presents no legal point of arguable merit and is, therefore, frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983) (per curiam).

Plaintiff may challenge this certification by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of the Court, U.S. Court of Appeals for the Fifth Circuit. *See Baugh*, 117 F.3d at 202; Fed. R. App. P. 24(a)(5).

SO ORDERED this 6th day of December, 2021.



BARBARA M. G. LYNN
CHIEF JUDGE