

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION**

**DARIAN TOWNES,**

**Plaintiff,**

**v.**

**Warden HEATHER DAVIS, *et al.*,**

**Defendants.**

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**CASE NO:  
7:24-cv-36—WLS-ALS**

**ORDER**

Before the Court is the Report and Recommendation (Doc. 51) (“Recommendation”) filed December 15, 2025, by United States Magistrate Judge Alfreda L. Sheppard. Therein, Judge Sheppard recommends that the Court deny Plaintiff’s second motion to appeal *in forma pauperis* (“IFP”). (*See* Doc. 49). Judge Sheppard notified the parties that they had fourteen days within which to file an objection to the Recommendation. Neither party did so. (*See* Doc. 51 at 4 & Docket). Thus, the Court reviews the Recommendation for clear error.<sup>1</sup>

Upon full review and consideration of the record, the Court finds no clear error, and that Judge Sheppard’s Recommendation (Doc. 51) should be, and hereby is, **ACCEPTED, ADOPTED**, and made the Order of this Court for the reason of the findings made and reasons stated therein. Plaintiff’s second motion (Doc. 49) to appeal IFP is **DENIED**. Plaintiff may submit a request to proceed in forma pauperis to the Eleventh Circuit Court of Appeals consistent with its rules and the applicable law or pay the appellate filing fee.

**SO ORDERED**, this 15th day of January 2026.

/s/ W. Louis Sands

**W. LOUIS SANDS, SR. JUDGE  
UNITED STATES DISTRICT COURT**

<sup>1</sup> 28 U.S.C. § 636(b) provides that “[a] judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendation to which objection is made.” 28 U.S.C. § 636(b); FED. R. CIV. P. 72. If no timely objections are filed, the court considers the recommendation for clear error. *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006) (“Most circuits agree that in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”) (internal quotation marks and citation omitted)).