

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO,
WESTERN DIVISION AT DAYTON

**PATRICIA A. GRANT, PH.D. v. DEBORAH ELAINE GRANT SEABRON,
PH.D, Individually and as Executor/Administrator of The Estate of Burnett
Grant, et al.**

Grant · No. 3:25-cv-391 · Decided March 12, 2026

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION AT DAYTON PATRICIA A. GRANT, PH.D., Plaintiff, Case No. 3:25-cv-391 vs. DEBORAH ELAINE GRANT SEABRON, District Judge Michael J. Newman PH.D, Individually and as Executor/ Magistrate Judge Caroline H. Gentry Administrator of The Estate of Burnett Grant, et al., Defendants.

ORDER: (1) OVERRULING PLAINTIFF'S OBJECTIONS (Doc.

No. 6); (2) ADOPTING THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (Doc. No. 5); (3) DENYING PLAINTIFF'S IN FORMA PAUPERIS APPLICATION; (4) ORDERING PLAINTIFF TO PAY THE FILING FEE AND ADMINISTRATIVE FEE BY MARCH 31, 2026; (5) PUTTING PLAINTIFF ON NOTICE THAT SHOULD SHE NOT PAY THE REQUIRED FEES, HER CASE MAY BE DISMISSED; (6) CERTIFYING THAT AN APPEAL WOULD NOT BE TAKEN IN GOOD FAITH; AND (7) DENYING PLAINTIFF LEAVE TO APPEAL IN FORMA PAUPERIS

Plaintiff Patricia A. Grant, Ph.D, brings this case pro se under an application to proceed in forma pauperis ("IFP") against Defendants Deborah Elaine Grant Seabron, Ph.D, and attorney Johnny W. Thomas.

Doc. No 1-1. On January 10, 2026, Magistrate Judge Caroline H. Gentry issued a Report and Recommendation ("R&R") in which she recommended that the Court deny Plaintiff's IFP application. Doc. No. 5. Plaintiff filed timely objections to the R&R. Doc. No. 6.

Thus, her objections to the R&R are now ripe for review. The Court has reviewed de novo, as required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(a), Plaintiff's objections and all filings in this matter. Liberally construing Plaintiff's pro se filings in her favor and accepting her factual allegations as true, the Court finds no merit in Plaintiff's objections.

See *Brent v. Wayne Cnty. Dep't of Hum. Servs.*, 901 F.3d 656, 676 (6th Cir. 2018) ("We liberally construe pro se filings"). Judge Gentry's R&R is not "clearly erroneous or ... contrary to law." 28 U.S.C. § 636(b)(1) (A); see Fed. R. Civ. P. 72(a).

Accordingly, Plaintiff's objections are OVERRULED. The R&R is hereby ADOPTED. As such, the Court ORDERS Plaintiff to pay \$405 (the \$350 filing fee plus a \$55 administrative fee) in full by March 31, 2026. Plaintiff is hereby ON NOTICE that, should she not pay the required fees by March 31, 2026, her case may be dismissed.

Finally, no appeal is presently available in this case because this Order is not a final appealable order and Plaintiff's claims remain pending. See 28 U.S.C. § 1291; cf. *Sultaana v. Jerman*, No. 1:15- cv-382, 2020 WL 13889761, at *5 (N.D. Ohio Jan. 7, 2020) (quoting *Cleaver v. Elias*, 852 F.2d 266, 267 (7th Cir. 1988) ("An appeal is possible in the absence of [a Rule 58 final judgment] only if the district court has clearly disposed of all pending matters")).

Because of this and for the reasons set forth herein, the Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a) (3), that an appeal of this Order would not be taken in good faith, and consequently, DENIES Plaintiff leave to appeal this Order in forma pauperis. IT IS SO ORDERED. March 11, 2026 s/Michael J. Newman Hon. Michael J. Newman United States District Judge