

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION

BILLY J. KAIN, JR.  
ADC #83093

PLAINTIFF

v.

No. 1:17-cv-31-DPM-BD

CORRECT CARE SOLUTIONS; MICHELLE BISHOP, Doctor, North Central Unit; MARTY HARRIMAN, Doctor, North Central Unit; SHARYN ROTOR, Associate Nurse Practitioner, North Central Unit; MARJORIE HALL, L.P.N./ Infirmary Manager, North Central Unit; LINDA HUNT, L.P.N., North Central Unit; DAVID BREWER, Classification Officer, North Central Unit; ROBIN SMITH, Associated Physicians Assistant, North Central Unit; and SIERRA BRADSHAW, Nurse, North Central Unit

DEFENDANTS

ORDER

1. Kain's appeal, *No 5*, from the order denying him *in forma pauperis* status, *No 3*, is denied. Magistrate Judge Deere didn't clearly err or misapply the law in denying Kain's motion. FED.R.CIV.P.72(a). And nothing in Kain's new paper shows he's in imminent danger of serious physical injury. 28 U.S.C. § 1915(g).

2. While the United States Court of Appeals for the Eighth Circuit will decide its jurisdiction, Kain's appeal to that Court, *No 4*, appears premature:

the order denying Kain *in forma pauperis* status isn't appealable. *Catlin v. United States*, 324 U.S. 229, 233-34 (1945). And there's no basis for certifying an interlocutory appeal. 28 U.S.C. § 1292.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

8 June 2017