Doss v. Hobbs Doc. 12

IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF ARKANSAS PINE BLUFF DIVISION

JOY D. DOSS ADC#707334

PLAINTIFF

 \mathbf{v}_{\bullet}

Case No. 5:12-cv-407 KGB

RAY HOBBS Director, Arkansas Department of Corrections, et al.

DEFENDANTS

ORDER

Before the Court is petitioner Joy D. Doss's motion for certificate of appealability for proceedings under 28 U.S.C. § 2254 (Dkt. No. 10) and her motion for leave to appeal *in forma* pauperis (Dkt. No. 11). On May 30, 2013, the Court entered an Order (Dkt. No. 8) and Judgment (Dkt. No. 9) adopting United States Magistrate Beth Deere's Recommended Disposition in its entirety (Dkt. No. 4). The Court finds that Ms. Doss has not made a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c)(1)-(2). Accordingly, Ms. Doss's motion for certificate of appealability is hereby denied (Dkt. No. 10).

Furthermore, an appeal may not be taken *in forma pauperis* if the trial court certifies in writing that it is not taken in good faith. 28 U.S.C. § 1915. The Court certified that an *in forma pauperis* appeal of this dismissal would be frivolous and not taken in good faith (Dkt. No. 8). Accordingly, Ms. Doss's motion to proceed *in forma pauperis* is hereby denied (Dkt. No. 11)

SO ORDERED this the 24th day of July, 2013.

KRISTINE G. BAKER

UNITED STATES DISTRICT JUDGE