

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Phillip S. Figa

Civil Action No. 05-cv-00576-PSF-CBS

DEREK W. BARRINGER,

Plaintiff,

v.

WACKENHUT SERVICES, INC.; and
JOHN DOE OFFICER FOR WACKENHUT,

Defendants.

ORDER ON PENDING MOTIONS

This matter is before the Court on Plaintiff's Motion for Leave to Proceed on Appeal Under 28 U.S.C. § 1915 (Dkts. ## 57, 63, and 69) and Plaintiff's Motion for Court Order (Dkt. # 71).

In light of the Magistrate Judge's Order granting plaintiff's motion to withdraw his earlier motion to dismiss and "reactivating" the case (Dkt. # 73), and in light of the Tenth Circuit's Order abating the appeal pending notification of disposition of plaintiff's motion to withdraw (Dkt. # 67), plaintiff's appeal-related requests (Dkts. ## 57, 63, and 69) are premature and thus DENIED.

Plaintiff's Motion for Court Order requests this Court to "fax or mail a copy of [the January 18, 2006] Order to the Denver County Jail" so that plaintiff may provide a certified copy of his account statement. The earlier referenced Order (Dkt. # 66) instructed plaintiff to request prison officials provide him with a certified copy of his trust

fund account statement for the six-month period immediately preceding the January 6, 2005 initiation of his appeal. Because the trust fund account statement, previously needed for purposes of determining plaintiff's *in forma pauperis* motions, is no longer necessary due to the prematurity of an appeal at this point, plaintiff's motion (Dkt. # 71) is also DENIED.

DATED: February 23, 2006

BY THE COURT:

s/ Phillip S. Figa

Phillip S. Figa
United States District Judge