

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00040-REB-BNB

MARK DuHALL,

Plaintiff,

v.

LENNAR FAMILY OF BUILDERS,

Defendant.

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ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS ON APPEAL

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Blackburn, Judge

Plaintiff has submitted a Notice of Appeal. Plaintiff previously was allowed to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915 in this court in this action. The court has examined the file and has determined that leave to proceed *in forma pauperis* on appeal must be denied. Pursuant to Rule 24(a)(3) of the Federal Rules of Appellate Procedure, the court finds that this appeal is not taken in good faith because plaintiff has not shown the existence of a reasoned, nonfrivolous argument on the law and facts in support of the issues raised on appeal. Accordingly, it is

ORDERED that leave to proceed *in forma pauperis* on appeal is denied because this appeal is not taken in good faith.

DATED at Denver, Colorado this 17<sup>th</sup> day of September, 2009.

BY THE COURT:

**s/ Robert E. Blackburn**

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JUDGE, UNITED STATES DISTRICT  
COURT FOR THE DISTRICT OF COLORADO