

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00835-REB-KMT

ANDREW PHILLIP ELLIOTT,

Applicant,

v.

JAMES E. ABBOTT, and  
THE ATTORNEY GENERAL OF THE STATE OF COLORADO,

Respondents.

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ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS ON APPEAL

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Blackburn, District Judge

Applicant filed a Notice of Appeal. Applicant 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 applicant 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

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 20<sup>th</sup> day of October, 2009.

BY THE COURT:

s/ Robert E. Blackburn

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DISTRICT JUDGE, UNITED STATES DISTRICT  
COURT FOR THE DISTRICT OF COLORADO

