

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-02365-WDM-MJW

LYNN EUGENE SCOTT,

Applicant,

v.

KEVIN MILLARD, Warden, S.C.F.,

Respondent.

ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS ON APPEAL

Miller, Judge

Applicant has submitted 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. I have 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, I find 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

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 7th day of July, 2009.

BY THE COURT:

s/ Walker D. Miller

JUDGE, UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF COLORADO