

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

VALDIR M. LAGE

V.

PRISONER
CASE NO. 3:10CV690 (JBA) (JGM)

CAROL CHAPDELAINE, ET AL.

RULING ON PENDING MOTION

On July 29, 2010, petitioner filed a Notice to Appeal to the Ruling on Amended Petition for Writ of Habeas Corpus filed by U.S. District Judge Janet Bond Arterton, denying such Amended Petition. (See Dkts. ##9-11). Petitioner now seeks to proceed in forma pauperis on appeal (Dkt. #13), which motion has been referred to this Magistrate Judge. (Dkt. #14). In denying the amended petition, Judge Arterton also ruled that a certificate of appealability would not issue. (See Dkt. #9, at 4.) Because the Court has certified in writing that an appeal would not be taken in good faith, petitioner is not permitted to proceed in forma pauperis on appeal. See 28 U.S.C. § 1915(a)(3). Petitioner's Motion for Leave to Proceed on Appeal In Forma Pauperis (Dkt. # 13) is therefore **denied**.

See 28 U.S.C. § 636(b) (**written objections to ruling must be filed within fourteen calendar days after service of same**); FED. R. Civ. P. 6(a), 6(e) & 72; Rule 72.2 of the Local Rules for United States Magistrate Judges, United States District Court for the District of Connecticut; Small v. Secretary, H&HS, 892 F.2d.

15, 16 (2d Cir. 1989) (**failure to file timely objection to Magistrate Judge's recommended ruling may preclude further appeal to Second Circuit**).

SO ORDERED at New Haven, Connecticut, this 11th day of August, 2010.

/s/ Joan G. Margolis, USMJ
Joan G. Margolis
United States Magistrate Judge