

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JULIAN AROCHO,

Petitioner,

v.

Case No.: 2:16-cv-910-FtM-38MRM

SECRETARY, DOC and FLORIDA
ATTORNEY GENERAL,

Respondents.

OPINION AND ORDER¹

Before the Court is Petitioner Julian Arocho's Motion for Leave to Appeal *In Forma Pauperis* (Doc. 24) filed on August 16, 2019. On July 17, 2019, the Court entered an Order denying Plaintiff's Motion for a Certificate of Appealability. (Doc. 23).

Pursuant to Rule 24(a) of the Federal Rules of Appellate Procedure, Petitioner's appeal is not taken in good faith and he will be required to pay the \$505.00 appellate filing and docketing fees. See also *McIntosh v. United State Parole Comm.*, 115 F.3d 809, 812 (10th Cir. 1997) (Petitioner must demonstrate "the existence of a reasoned, nonfrivolous argument on the law and facts in support of the issues raised on appeal."). Petitioner has not identified any meritorious issues to raise on appeal. Because the Court has certified

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that this appeal is not taken in good faith, any request to proceed *in forma pauperis* should be sent directly to the Eleventh Circuit Court of Appeals. See Fed. R. App. P. 24(a)(5).

Accordingly, it is now

ORDERED:

Petitioner's Julian Arocho's Motion for Leave to Appeal *In Forma Pauperis* (Doc. 24) is **DENIED**.

DONE and **ORDERED** in Fort Myers, Florida this 8th day of October 2019.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-2
Copies: All Parties of Record