

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

ALLEN JAMES STARKS,

Petitioner,

v.

Case No. 5:12-cv-305-Oc-30PRL

WARDEN, FCC COLEMAN- USP I,

Respondent.

ORDER

Before the Court is Petitioner's motion for leave to appeal *in forma pauperis*. (Doc. 15). Pursuant to Rule 24(a) of the Federal Rules of Appellate Procedure, Petitioner's appeal is not taken in good faith and Petitioner will be required to pay the \$455.00 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").

Because the Court has certified 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)*. Petitioner's motion for leave to appeal *in forma pauperis* (Doc. 15) is **DENIED**.

DONE and **ORDERED** in Tampa, Florida on December 19, 2012.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE