

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ANTHONY SMITH,

Petitioner,

-vs-

Case No. 8:12-CV-58-T-30TGW

SECRETARY, DEPARTMENT
OF CORRECTIONS,

Respondent.

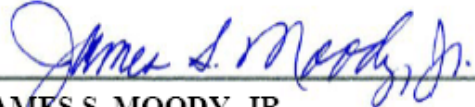
ORDER

THIS cause is before the Court on Petitioner's Affidavit of Insolvency for Purpose of Appeal (Dkt. 34), and Certificate of Appealability (Dkt. 35). Petitioner requests the Court grant a certificate of appealability, and leave to proceed on appeal *in forma pauperis*. When the Court dismissed Petitioner's § 2254 petition as time-barred on November 7, 2012 (see Dkt. 32), the Court also denied Petitioner a certificate of appealability and leave to appeal *in forma pauperis* (Id. at pg. 10).

Accordingly, the Court **ORDERS** that:

1. Petitioner's Affidavit of Insolvency for Purpose of Appeal (Dkt. 34) is **DENIED**.
2. Petitioner's Certificate of Appealability (Dkt. 35) is **DENIED**.

DONE and **ORDERED** in Tampa, Florida on December 20, 2012.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

SA:sfc
Copy furnished to:
Pro Se Petitioner
Counsel of Record