

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

BRENDA L. ROBINETTE,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 5:09-CV-319 (MTT)
)	
CENTRAL STATE HOSPITAL,)	
)	
Defendant.)	
)	

ORDER

This matter is before the Court on the Plaintiff’s Motion for Permission to Appeal In Forma Pauperis (Doc. 31) (the “Motion”). For the following reasons, the Motion is denied.

This Court dismissed the Plaintiff’s case because the Plaintiff failed to comply with multiple Orders of this Court. First, when ordered to file an amended complaint containing a more definite statement of her claim, what the Plaintiff filed was nearly identical to her original Complaint. Next, when ordered to explain to this Court why the Plaintiff failed to comply with the Court’s previous Order, the Plaintiff failed to respond. After this Court denied the Plaintiff’s Motion to Reconsider (Doc. 27), the Plaintiff filed this Motion seeking to appeal this Court’s ruling without having to pay costs. She filed with her Motion an Affidavit Accompanying Motion for Permission to Appeal In Forma Pauperis (the “Affidavit”). The Plaintiff filled out the financial information requested in the form Affidavit, but left blank the section that states, “My issues on appeal are.”

Federal Rule of Appellate Procedure 24(a) sets out the requirements for an appellant in a civil case who wishes to proceed in forma pauperis. According to Rule

24(a)(1), the appellant “must attach an affidavit that . . . (A) shows in the detail prescribed by Form 4 of the Appendix of Forms [her] inability to pay or give security for the fees and costs; (B) claims an entitlement to redress; and (C) states the issues that [she] intends to present on appeal.” Here, the Plaintiff’s affidavit is insufficient in that it neither claims an entitlement to redress nor states the issues that are presented on appeal. Therefore, the Plaintiff has failed to satisfy the requirements of Rule 24 and her Motion (Doc. 31) is **DENIED** without prejudice. If Plaintiff wishes to proceed with his appeal, she must pay the entire \$455.00 appellate filing fee, or she may have one opportunity to amend her Motion to conform to the standards set out by Fed. R. App. Proc. 24(a).

SO ORDERED, this the 22nd day of December, 2010.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT

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