



In this Motion, the Plaintiff asserts that the Motion also represents a “Poverty Affidavit.” Even if such is the case, the Poverty Affidavit does not fulfill the requirements set forth in Federal Rule of Appellate Procedure 24(a).

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 [his] inability to pay or give security for the fees and costs; (B) claims an entitlement to redress; and (C) states the issues that [he] 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 his Motion (Doc. 65) is **DENIED** without prejudice. If the Plaintiff wishes to proceed with his appeal, he must pay the entire \$455.00 appellate filing fee, or he may have one opportunity to amend his Motion to conform to the standards set out by Fed. R. App. Proc. 24(a).

**SO ORDERED**, this 16th day of September, 2011.

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

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