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

MICHAEL LONDON, :

Plaintiff

VS.

STATE OF GEORGIA, et al., : NO. 5:11-CV-82 (MTT)

Defendants : **ORDER**

Pro se plaintiff MICHAEL LONDON has filed a motion to proceed in forma pauperis on appeal (Tab # 7) from the Court's order dismissing this case pursuant to 28 U.S.C. § 1915(g). The order of dismissal was based upon the finding that plaintiff, while incarcerated, had three prisoner actions dismissed by federal courts in the State of Georgia as frivolous, and that the complaint did not allege imminent danger of serious physical injury.

In the Court's best judgment, an appeal from the aforesaid order cannot be taken in good faith. 28 U.S.C. § 1915(a)(3). As noted in the order, the facts alleged in plaintiff's complaint do not support a finding of imminent danger. Thus, there is no basis for allowing plaintiff to proceed *in forma pauperis* on appeal in this case.

Accordingly, having been carefully considered, plaintiff's motion to proceed *in* forma pauperis on appeal is hereby **DENIED**. If plaintiff wishes to proceed with his appeal, he must prepay the entire \$455 appellate filing fee.

SO ORDERED, this 10th day of May, 2011.

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

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