



have a pending appeal, the Court denied this motion for reconsideration.

Plaintiff is now attempting to appeal this Court's denial of his motion to proceed *in forma pauperis* on appeal. However, Fed. R. App. P. 24 provides as follows regarding what action a party should take when a district court denies his motion to proceed *in forma pauperis* on appeal: "A party may file a motion to proceed on appeal *in forma pauperis* in the court of appeals within 30 days after service" of the district court's denial of his motion to proceed *in forma pauperis* on appeal. In other words, after the district court denies a motion to proceed *in forma pauperis* on appeal, as it did in this case, the party should file a motion in the court of appeals "calling into question the correctness of the action of the district court," as opposed to filing an appeal. Fed. R. App. P. 24 advisory committee's note.

As plaintiff does not have the right to appeal from this Court's denial of his motion to proceed *in forma pauperis* on appeal, the Court **DENIES** his current motion to proceed *in forma pauperis* in this appeal.

**SO ORDERED**, this 13<sup>th</sup> day of April, 2006.

s/ **Hugh Lawson**  
HUGH LAWSON, JUDGE

lnb