

again asks the Court to stay his state court criminal proceedings, this time pending the appeal of this Court's decision that it does not have jurisdiction over his Amended Complaint. (Doc. 10). However, as the Court found in its Order and Opinion of June 16, 2011, it does not have the jurisdiction to stay such proceedings. Accordingly, because the Court finds that it has no jurisdiction pursuant to the *Younger* doctrine, it again cannot properly reach out and stay Plaintiff's state court proceedings.

Moreover, Plaintiff has neither paid the applicable filing fee in this matter, nor been granted in forma pauperis status. Although Plaintiff initially filed a Motion to Proceed in forma pauperis (Doc. 2), this motion was both incomplete on its face and inaccurate according to a subsequent Letter Plaintiff sent to the Court. (Doc. 5). Therefore, in addition to the Court lacking jurisdiction pursuant to *Younger*, it also lacks jurisdiction because Plaintiff is not properly before it.

For these reasons, Plaintiff's Motion for Stay of Proceedings Pending Appeal is DENIED. IT IS SO ORDERED.

CASE TERMINATED.

Entered this 22nd day of June, 2011.

s/ Joe B. McDade

JOE BILLY McDADE
United States Senior District Judge