

## United States District Court, Northern District of Illinois

<b>Name of Assigned Judge or Magistrate Judge</b>	Gary Feinerman	<b>Sitting Judge if Other than Assigned Judge</b>	
<b>CASE NUMBER</b>	11 C 4298	<b>DATE</b>	10-5-2011
<b>CASE TITLE</b>	Darell Wayne Bolden (#2009-0063329) v. Superintendent Reyes, et al.		

**DOCKET ENTRY TEXT:**

Plaintiff's motion for leave to appeal *in forma pauperis* [13] is denied. The court certifies that the appeal is not taken in good faith and orders Plaintiff to pay the appellate filing fee of \$455 by October 26, 2011, or the Court of Appeals may dismiss his appeal for want of prosecution. The Clerk is requested to send a copy of this order to the PLRA Attorney, U.S. Court of Appeals for the Seventh Circuit.

■ [For further details see text below.]

Docketing to mail notices.

### STATEMENT

Plaintiff filed a notice of appeal from the judgment entered on September 6, 2011, and seeks leave to proceed *in forma pauperis*. For the reasons stated in the September 6, 2011, order of dismissal, the court finds that this action does not raise a substantial issue meriting appellate review. Even if that conclusion were open to question, Plaintiff has identified no appellate issues in his motion for leave to appeal *in forma pauperis*. Accordingly, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that the appeal is not taken in good faith.

Plaintiff must pay the full \$455 appellate filing fee by October 26, 2011, or the Court of Appeals may dismiss his appeal for want of prosecution. *See Evans v. Illinois Dept. of Corrections*, 150 F.3d 810, 812 (7th Cir. 1998). If Plaintiff wishes to contest this court's certification that the appeal is not taken in good faith, he must file a motion with the Court of Appeals seeking review of this court's certification within thirty days of service of this order. *See Fed. R. App. P. 24(a)(5)*.

Plaintiff is responsible for ensuring payment of the filing fees as directed by this order, and should ensure that the institution having custody of him transmits the necessary funds. Nonpayment for any reason other than destitution shall be construed as a voluntary relinquishment of the right to file future suits *in forma pauperis*. The obligation to ensure full payment of the filing fees imposed by this order shall not be relieved by release or transfer to another prison. Plaintiff is under a continuing obligation to inform the Clerk of this Court in writing of any change of address within seven days.

**(CONTINUED)**

AWL

**STATEMENT (continued)**

Payment shall be sent to the Clerk, United States District Court, 219 S. Dearborn St., Chicago, Illinois 60604, attn: Cashier's Desk, 20th Floor. Payment should clearly identify Plaintiff's name, as well as the district court and appellate court case numbers assigned to this action.

The Clerk is requested to send a copy of this order to the PLRA Attorney, United States Court of Appeals for the Seventh Circuit.