

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>ARTHUR STANLEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 15-CV-1252-SMY</b>
	)	
<b>TIMOTHY WILSON, JR., et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	
	)	

**MEMORANDUM AND ORDER**

This matter comes before the Court on Plaintiff’s Motion for Leave to Appeal *in forma pauperis* (Doc. 29). A federal court may permit a party to proceed on appeal without full pre-payment of fees provided the party is indigent and the appeal is taken in good faith. 28 U.S.C. § 1915(a)(1) & (3); Fed. R. App. P. 24(a)(3)(A). The test for determining if an appeal is in good faith and not frivolous is whether any of the legal points are reasonably arguable on their merits. *Neitzke v. Williams*, 490 U.S. 319, 325 (1989) (citing *Anders v. California*, 386 U.S. 738 (1967)); *Walker v. O’Brien*, 216 F.3d 626, 632 (7th Cir. 2000). There is no doubt Plaintiff is indigent. However, the appeal is frivolous as Plaintiff’s case was dismissed based on this Court’s lack of subject matter jurisdiction (Doc. 5).

Moreover, given Plaintiff’s history of filing frivolous cases and pleadings (this is Stanley’s sixth frivolous or remanded lawsuit), further discussion is warranted. Plaintiff is **ADVISED** that under *Alexander v. United States*, 121 F.3d 312 (7th Cir. 1997) and *Support Systems International, Inc. v. Mack*, 45 F.3d 185 (7th Cir. 1995), courts have inherent authority to protect themselves from vexatious litigation by imposing fines and filing bands. In *Alexander*, the Court warned that if the petitioner filed any further frivolous habeas petitions, he would be

fined \$500; the fine would have to be paid before any other civil litigation would be allowed to be filed, and any habeas action would be summarily dismissed thirty days after filing unless otherwise ordered by the Court. Stanley should keep *Alexander* and *Mack* in mind before filing any additional civil actions or pleadings in this Court.

Accordingly, Plaintiff's Motion for Leave to Appeal *in forma pauperis* (Doc. 29) is **DENIED.**

**IT IS SO ORDERED.**

**DATED: October 25, 2016**

**s/ Staci M. Yandle**  
**STACI M. YANDLE**  
**United States District Judge**