

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

| | | |
|-------------------------|---|----------------------------|
| JAMES GARNER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Case No. 2:22CV249-PPS-JPK |
| |) | |
| LAKE COUNTY SHERIFF KEY |) | |
| (Badge #488), et al., |) | |
| |) | |
| Defendants. |) | |

OPINION AND ORDER

James Garner, a *pro se* plaintiff, filed with the Seventh Circuit a motion seeking to proceed *in forma pauperis* on appeal. The Court of Appeals has transferred the motion to this court for ruling. [DE 10.] Pursuant to 28 U.S.C. § 1915(a)(3), “[a]n appeal may not be taken *in forma pauperis* if the trial court certifies in writing that it is not taken in good faith.”

Substantively, this appeal is not taken in good faith because, for the reasons stated in the order of dismissal [DE 4], no “reasonable person could suppose that the appeal has some merit.” *Walker v. O’Brien* 216 F.3d 626, 632 (7th Cir. 2000).

ACCORDINGLY:

Plaintiff James Garner’s motion to proceed on appeal *in forma pauperis* [DE 11] is DENIED because this appeal is not taken in good faith.

SO ORDERED.

ENTERED: November 8, 2022.

/s/ Philip P. Simon
UNITED STATES DISTRICT JUDGE