

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

JEFFREY ALLEN ROWE,)	
)	
Plaintiff,)	
)	
vs.)	1:10-cv-362-JMS-DML
)	
SUPT. BRETT MIZE, et al.,)	CA #12-2186
)	
Defendants.)	

Entry Discussing Request to Proceed on Appeal In Forma Pauperis

An appeal may not be taken *in forma pauperis* if the trial court certifies that the appeal is not taken in good faith. 28 U.S.C. § 1915; see *Coppedge v. United States*, 369 U.S. 438 (1962). "Good faith" within the meaning of § 1915 must be judged by an objective, not a subjective, standard. *Id.* There is no objectively reasonable argument which the plaintiff could present to argue that the recent denial of his motion for preliminary injunction was erroneous. In pursuing an appeal, the plaintiff "is acting in bad faith . . . [because] to sue in bad faith means merely to sue on the basis of a frivolous claim, which is to say a claim that no reasonable person could suppose to have any merit." *Lee v. Clinton*, 209 F.3d 1025, 1026 (7th Cir. 2000).

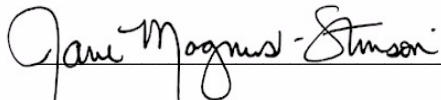
Based on the foregoing, therefore, the plaintiff's request for leave to proceed on appeal *in forma pauperis* (dkt 179) is **denied**.

IT IS SO ORDERED.

Date: 06/13/2012

Distribution:

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Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

All Electronically Registered Counsel