

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

CURTIS JACKSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:13-cv-1378-TWP-MJD
)	
COOKE, AIGHT, RENFRO and LUNDY)	
)	
Defendants.)	

Entry Discussing Request to Proceed on Appeal *In Forma Pauperis*

The plaintiff seeks leave to proceed on appeal without prepayment of the appellate fees of \$505.00. 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. *See id.*

There has been no final or partial final judgment in this action. While the Court has granted summary judgment with respect to Defendants Renfro and Lundy, (Dkt. No. 59) no partial final judgment was issued and claims against the remaining defendants are still pending. In pursuing an appeal, therefore, 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). Accordingly, his appeal is not taken in good faith, and for this reason his request for leave to proceed on appeal *in forma pauperis* [dkt 76] is **denied**.

IT IS SO ORDERED.

Date: 2/20/2015

A handwritten signature in black ink that reads "Tanya Walton Pratt". The signature is written in a cursive style and is positioned above a horizontal line.

Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution:

Electronically Registered Counsel

Curtis Jackson
973802
Pendleton Correctional Facility
Inmate Mail/Parcels
4490 West Reformatory Road
Pendleton, IN 46064