

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

JUSTIN ALLEN BRIGGS,)	
)	
Petitioner,)	
)	
vs.)	Case No. 1:14-cv-01111-TWP-DML
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

Entry Discussing Request to Proceed on Appeal *in forma pauperis*

A claim or argument is frivolous when it appears the factual allegations are clearly baseless or the legal theories are indisputably meritless. *Neitzke v. Williams*, 490 U.S. 319, 327 (1989). There is no objectively reasonable argument the petitioner could present to argue that the disposition of this action was erroneous. In pursuing an appeal, therefore, the petitioner “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 his request for leave to proceed on appeal *in forma pauperis* [dkt 19] is **denied**.

IT IS SO ORDERED.

Date: 5/10/2016



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

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