

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF INDIANA
 INDIANAPOLIS DIVISION

DAVID DRUMMOND,)	
)	
Petitioner,)	
)	
vs.)	No. 1:16-cv-02375-TWP-MPB
)	
SUPERINTENDENT New Castle Correctional)	
Facility,)	
)	
Respondent.)	

Entry

The petitioner David Drummond seeks leave to proceed on appeal without prepayment of the appellate fees of \$505.00. An appeal may not be taken *in forma pauperis* unless the trial court certifies that the appeal is 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.* At this time, there is no objectively reasonable argument Drummond could present to argue that the disposition of his petition for writ of habeas corpus was erroneous, nor does he present one. 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, Drummond’s appeal is not made in good faith, and for this reason his request for leave to proceed on appeal *in forma pauperis*, dkt. [20], is **denied**.

IT IS SO ORDERED.

Date: 10/27/2017



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

Electronic distribution to counsel of record via CM/ECF and by U.S. mail to:

DAVID DRUMMOND
114102
NEW CASTLE - CF
NEW CASTLE CORRECTIONAL FACILITY - Inmate Mail/Parcels
1000 Van Nuys Road
NEW CASTLE, IN 47362