

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

NATHAN ANDERSON, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 INDIANA DEPARTMENT OF )  
 CORRECTION, BRUCE LEMON )  
 Commissioner of Indiana Department of )  
 Correction, INDIANA STATE PRISON, )  
 BRUCE WILSON Superintendent, Indiana )  
 State Prison, COLLINS Correctional Officer, )  
 LACOURSE Correctional Officer, )  
 CORRECTIONAL MEDICAL SERVICES )  
 INC, JOSEPH THOMPSON MD, )  
 )  
 Defendants. )

No. 1:17-cv-01799-TWP-MPB

**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 is no objectively reasonable argument the plaintiff could present to argue that the disposition of this action was erroneous. No final judgment was entered in this action. Instead, this action was transferred to the Northern District of Indiana for resolution after screening pursuant to 28 U.S.C. § 1915A. 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 [15], is **denied**.

**IT IS SO ORDERED.**

Date: 8/9/2017



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

Distribution:

NATHAN ANDERSON  
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