

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS**

**CHRISTOPHER K. BLACKLOCK,**

**Petitioner,**

**v.**

**CASE NO. 23-3253-JWL**

**DAN SCHNURR, Warden,  
Hutchinson Correctional Facility,**

**Respondent.**

**MEMORANDUM AND ORDER**

This matter is a petition for writ of habeas corpus filed under 28 U.S.C. § 2254. Petitioner is in state custody at the Hutchinson Correctional Facility in Hutchinson, Kansas. On August 15, 2024, the Court entered a Memorandum and Order (Doc. 23) and Judgment (Doc. 24) dismissing this matter as time-barred. On August 27, 2024, Petitioner filed a Notice of Appeal (Doc. 25) and a Motion for Leave to Appeal In Forma Pauperis (Doc. 26).

The Court directs Petitioner to show cause why the motion to proceed on appeal in forma pauperis should not be denied for failure to provide the information required by Fed. R. App. P. 24(a). Federal Appellate Rule 24(a) requires a party who desires to appeal in forma pauperis to file a motion in the district court. *See* Fed. R. App. P. 24(a)(1). Under that rule, the moving party must file an affidavit that shows the party's inability to pay and that states the issues that the party intends to present on appeal. *See id.* In addition, 28 U.S.C. § 1915 provides that an appeal may not be taken in forma pauperis "if the trial court certifies in writing that it is not taken in good faith." 28 U.S.C. § 1915(a)(3). Thus, "[i]n order to succeed on his motion, an appellant must show a financial inability to pay the required filing fees and the existence of a

reasoned, nonfrivolous argument on the law and facts in support of the issues raised on appeal.”  
*DeBardleben v. Quinlan*, 937 F.2d 502, 505 (10th Cir. 1991).

Petitioner has not stated the issues that he intends to present on appeal – in either his notice of appeal or in his motion to proceed in forma pauperis on appeal – as required. Therefore, the Court cannot determine whether the appeal is taken in good faith under the standard set forth above. Petitioner must remedy these deficiencies before the Court may rule on the instant motion.

**IT IS THEREFORE ORDERED** that Petitioner is required to show cause on or before **September 15, 2024**, why the motion to proceed on appeal in forma pauperis (Doc. 26) should not be denied for failure to provide the required information as set forth herein.

**IT IS FURTHER ORDERED** that the Clerk is directed to send Petitioner the court-approved form for filing a motion for leave to appeal in forma pauperis.

**IT IS SO ORDERED.**

**Dated August 28, 2024, in Kansas City, Kansas.**

**S/ John W. Lungstrum**  
**JOHN W. LUNGSTRUM**  
**UNITED STATES DISTRICT JUDGE**