

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

QUINCEY GERALD KEELER, *also known
as JERRY,*

Plaintiff,

v.

Case No. 11-1372-EFM

ARAMARK,

Defendant.

MEMORANDUM AND ORDER

Plaintiff Quincey Gerald Keeler filed suit against Defendant ARAMARK, his former employer, alleging twenty-five claims of various forms of wrongful termination, defamation, and conspiracy to commit civil wrongs and torts. This Court granted ARAMARK's motion for summary judgment on all claims because a reasonable jury would necessarily find (1) that ARAMARK made the decision to terminate Keeler before he engaged in protected action and without a retaliatory motive, and (2) that Keeler could not prove all elements of his claims of defamation and civil conspiracy. The Court denied Keeler's motion for reconsideration because Keeler failed to identify an error in the Courts disposition of this case. Keeler now seeks leave to appeal to the Tenth Circuit *in forma pauperis*. The Court denies Keeler's motion because his appeal is not taken in good faith.

Rule 24 of the Federal Rules of Appellate Procedure permit a party who has not previously been granted *in forma pauperis* (“IFP”) status in a case to request that the district court grant the party leave to appeal to the circuit courts IFP.¹ The district court may, however, deny the motion and notify the parties and the circuit court if the district court certifies that the appeal is not taken in good faith.² Here, Keeler’s appeal to the Tenth Circuit states that he seeks review of “the case claims in whole” without alleging any specific error on the part of this Court. The Court has twice reviewed Keeler’s claims and found them lacking in merit. Furthermore, the district courts in Kansas and the Tenth Circuit have dealt with Keeler’s numerous, unsuccessful claims against his former employer with such frequency that the Court has found it necessary to impose filing restrictions. Keeler has not provided any reason for this Court to believe that an appeal in this case will be any more favorable to Keeler than his past attempts. The Court will not facilitate yet another meritless appeal from this plaintiff.

IT IS ACCORDINGLY ORDERED this 14th day of May, 2013, that Plaintiff Keeler’s Motion for Leave to Appeal *In Forma Pauperis* (Doc. 52) is hereby **DENIED**, and his appeal is certified as not taken in good faith.

IT IS SO ORDERED.



ERIC F. MELGREN
UNITED STATES DISTRICT JUDGE

¹ Fed. R. App. P. 24(a)(1).

² Fed. R. App. P. 24(a)(4)(B).