

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION -- PIKEVILLE

JOSE CRISTOBAL CARDONA,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

CIVIL NO. 7:16-69-KKC

OPINION AND ORDER

Plaintiff Jose Cristobal Cardona has filed a motion for leave to appeal without paying the filing fee. (DE 126.) He has filed a notice of appeal seeking review of this Court's July 6, 2020 order that denied his motion for reconsideration of the Court's adoption of the magistrate judge's Recommended Disposition. (DE 123.) The Court hereby ORDERS that the motion is DENIED.

A party moving to appeal in forma pauperis must attach to his motion an affidavit that: 1) shows in the detail prescribed by Form 4 of the Appendix of Forms to the Federal Rules of Appellate Procedure the individual's inability to pay or give security for fees and costs; 2) claims an entitlement to redress; and 2) states the issues the party intends to present on appeal. Fed. R. App. 24(a)(1).

Cardona has not filed the required affidavit. Further, the Court cannot grant pauper status if it finds the appeal is not taken in good faith. 28 U.S.C.A. § 1915(a)(3). Cardona has set forth no issue he intends to present on appeal. Accordingly, the Court finds that the appeal is not taken in good faith. The motion must be DENIED.

Dated November 09, 2020



Karen K. Caldwell

KAREN K. CALDWELL
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF KENTUCKY