

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

BARON JOHNSON

CIVIL ACTION

VERSUS

NO. 10-1734

JAMES M. LEBLANC, ET AL.

SECTION "N" (5)

ORDER AND REASONS

The Court having reviewed Plaintiff's submission, the record of this action, and applicable law, **IT IS ORDERED** that Plaintiff's "Motion for Leave to Appeal In Forma Pauperis" (Rec. Doc. 38) is **DENIED**. As an initial matter, Plaintiff did not sign the financial affidavit submitted in support of his motion. *See* Rec. Doc. 38. Further, the Court of Appeals has already dismissed Plaintiff's prior appeal of this Court's July 20, 2010 judgment as frivolous and incoherent.¹ *See* Rec. Doc. 34. Finally, the Court of Appeals recently dismissed his most recent appeal – the one for which Plaintiff seeks to proceed *in forma pauperis* – as noncompliant with Rule 3 of the Federal Rules of Appellate Procedure. *See* Rec. Doc. 40. As such, the Court of Appeal concluded, Plaintiff's latest notice of appeal (Rec. Doc. 37) did not provide it with appellate jurisdiction. *Id.* Thus, given the foregoing, the Court rejects Plaintiff's request to proceed on appeal *in forma pauperis*.

New Orleans, Louisiana, this 30th day of November 2011.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE

¹ Plaintiff noticed that appeal in six separate filings. *See* Rec. Docs. 9, 11, 15, 19-20, 25 and 27.