

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SPASSKY ALCEQUIECZ,

Petitioner,

v.

KELLEY RYAN,

Respondent.

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C.A. No. 14-11693-ADB

App. No. 17-1617

ORDER

BURROUGHS, D.J.

Petitioner Spassky Alcequiecz has filed a motion to appeal *in forma pauperis* [ECF No. 50], and he has provided a six-month prison account statement dated August 24, 2017 [ECF No. 52]. The account statement indicates that from February 1, 2017 through August 23, 2017, Alcequiecz received approximately \$2,000. The statement also indicates that the balance of his prison account on the statement date was \$1,959.

Based on Alcequiecz's income and account balance, the Court finds that he is able to pay the \$505 appeal fee.

Accordingly, the motion to appeal *in forma pauperis* [ECF No. 50] is DENIED. If Alcequiecz wishes to further pursue *in forma pauperis* status on appeal, he may, within thirty (30) days, file a new motion for leave to appeal *in forma pauperis* with the United States Court of Appeals for the First Circuit. *See* Fed. R. App. P. 24(a)(5).¹

¹Fed. R. App. P. 24(a)(5) provides:

A party may file a motion to proceed on appeal in forma pauperis in the court of appeals within 30 days after service of the notice [of the district court's order denying the motion to appeal *in forma pauperis*]. The motion must include a copy

The Clerk shall transmit a copy of this Order to the United States Court of Appeals for the First Circuit.

IT IS SO ORDERED.

10/11/2017
DATE

/s/ Allison D. Burroughs
UNITED STATES DISTRICT JUDGE

of the affidavit filed in the district court and the district court's statement of reasons for its action.

Fed. App. P. 24(a)(5).