

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

M.C. WHITLEY,

Petitioner,

v.

Case No. 08-14172

Honorable Denise Page Hood

HUGH WOLFENBARGER,

Respondent.

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**ORDER GRANTING PETITIONER'S APPLICATION TO PROCEED *IN FORMA*  
*PAUPERIS***

On March 16, 2011, the Court entered an order denying Petitioner's habeas claims. The Court also declined to issue a certificate of appealability, concluding that reasonable jurists would not find the Court's assessment of the constitutional claims debatable or wrong. This matter is now before the Court on Petitioner's Motion to Proceed *In Forma Pauperis* on Appeal [Docket No. 23, filed on March 23, 2011]. After reviewing Plaintiff's claims, the Court GRANTS Plaintiff's Application to proceed *in forma pauperis* on appeal. An appeal of the Court's March 16, 2011 Order would not be frivolous and may be taken in good faith. 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 445 (1962), *McGore v. Wrigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997).

IT IS SO ORDERED.

s/Denise Page Hood

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Denise Page Hood

United States District Judge

Dated: June 10, 2011

I hereby certify that a copy of the foregoing document was served upon M.C. Whitley #247537, 34625 26 Mile Road, New Haven, MI 48048 and counsel of record on June 10, 2011, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager