

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

LORENZO ANTHONY,

Petitioner,
v.

Civil Action No. 2:10-CV-13312
HONORABLE DENISE PAGE HOOD
CHIEF UNITED STATES DISTRICT JUDGE

CATHERINE BAUMAN,

Respondent,
_____ /

**OPINION AND ORDER DENYING AS MOOT THE MOTION TO PROCEED
IN FORMA PAUPERIS ON APPEAL**

On December 31, 2015, this Court denied the petition for writ of habeas corpus brought pursuant to 28 U.S.C. § 2254, denied petitioner a certificate of appealability, but granted petitioner leave to appeal *in forma pauperis*. Petitioner has now filed a motion to proceed *in forma pauperis* on appeal.

This Court has already granted petitioner leave to appeal *in forma pauperis*; it is unnecessary for petitioner to again obtain permission to proceed *in forma pauperis* on appeal. Petitioner's current motion to

proceed *in forma pauperis* on appeal [Dkt. # 35] will therefore be denied as moot. See *McMillan v. McKune*, 16 Fed.Appx. 896, 897 (10th Cir. 2001).

S/Denise Page Hood
Denise Page Hood
Chief Judge, United States District Court

Dated: April 8, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on April 8, 2016, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager