

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAMONE WILSON,

Petitioner,

vs.

Case No. 11-CV-14675
HON. GEORGE CARAM STEEH

WILLIE SMITH,

Respondent.

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ORDER DENYING PETITIONER'S MOTION TO PROCEED
IN FORMA PAUPERIS ON APPEAL

Ramone Wilson, appearing pro se, filed a petition for a writ of habeas corpus on October 25, 2011, pursuant to 28 U.S.C. § 2254, challenging his October 17, 2003 jury conviction in Oakland County Circuit Court for carjacking and possession of a firearm during the commission of a felony. On May 2, 2013, finding no merit in any of his claims, this court entered an order denying Wilson's habeas petition and denying a certificate of appealability. On May 30, 2013, Wilson filed a notice of appeal with the United States Court of Appeals for the Sixth Circuit and on May 31, 2013, Wilson filed an application to proceed in forma pauperis on appeal.

To appeal in forma pauperis in a § 2254 case, and thereby avoid the \$450 filing fee required under 28 U.S.C. §§ 1913 and 1917, a prisoner must obtain pauper status from the district court under the requirements provided for in Federal Rule of Appellate Procedure 24(a). Kincade v. Sparkman, 117 F.3d 949, 952 (6th Cir. 1997). Rule 24(a) provides that a party seeking pauper status on appeal must first file a motion in the district court, along

with a supporting affidavit. Fed. R. App. P. 24(a)(1). The Rule further requires the district court to certify in writing whether the appeal is taken in good faith. Fed. R. App. P. 24(a)(3)(A). In this case, for the same reasons the court denied a certificate of appealability, the court determines that any appeal would not be taken in good faith.

Accordingly, It is CERTIFIED, pursuant to Federal Rule of Appellate Procedure 24(a), that any appeal in this matter is not taken in good faith, and leave to appeal in forma pauperis is DENIED.

SO ORDERED.

Dated: June 6, 2013

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on May 2, 2013, by electronic and/or ordinary mail and also on Ramone Wilson #351485, Lakeland Correctional Facility 141 First Street, Coldwater, MI 49036

s/Marcia Beauchemin
Deputy Clerk