

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOSEPH RAIMONDO,

Plaintiff,

vs.

Case No. 13-CV-14773
HON. GEORGE CARAM STEEH

VILLAGE OF ARMADA, et al.,

Defendants.

_____ /

ORDER DENYING MOTION TO WAVE (SIC) APPEAL
FILING FEES DUE TO FINANCIAL HARDSHIP (DOC. # 9)

Plaintiff Joseph Raimondo filed a *pro se* complaint against the Village of Armada and numerous additional individuals and entities. In December 2013, the court entered an order that required Mr. Raimondo to file an amended complaint or face dismissal of the action. Because the rambling and train of thought document filed by Mr. Raimondo responding to that order did not come close to satisfying the court's order, the court dismissed the case.

Mr. Raimondo has filed both a Notice of Appeal, without any specification of the issues he intends to present on appeal, and a motion to waive the appellate filing fee, explaining that a temporary financial set back made it impossible to timely pay the fee.

Mr. Raimondo has not complied with the requirements of the applicable appellate rule. That Rule of Appellate Procedure provides that

[A] party to a district-court action who desires to appeal in forma pauperis must file a motion in the district court. The party must attach an affidavit that:

- (A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party's inability to pay or to give security for fees and costs;
- (B) claims an entitlement to redress; and
- (C) states the issues that the party intends to present on appeal.

Fed. R. App. P. 24(a)(1).

The rule later provides that 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 denial of his motion. Should Mr. Raimondo decide to proceed with filing such a motion with the Sixth Circuit, he has 30 days from the date of service of this order, and he "must include a copy of the affidavit filed in the district court and the district court's statement of reasons for its action. If no affidavit was filed in the district court, the party must include the affidavit prescribed by Rule 24(a)(1)." Fed. R. App. P. 24(a)(5).

Accordingly, the motion to waive the appellate filing fee is hereby **DENIED**. If Mr. Raimondo requests a waiver of the fee by the Sixth Circuit, he must comply with Fed. R. App. P. 24 as set forth above.

IT IS SO ORDERED.

Dated: April 2, 2014

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 April 2, 2014, by electronic and/or ordinary mail and also on Joseph Raimondo, P.O. Box 330, Armada, MI 48005.

s/Barbara Radke
Deputy Clerk