

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

MICHAEL A. DARBY,

Petitioner,

Case No. 17-cv-10693
Hon. Matthew F. Leitman

v.

JACK KOWALSKI.

Respondent.

**ORDER (1) CONFIRMING PETITIONER MAY APPEAL
IN FORMA PAUPERIS AND (2) GRANTING PETITIONER'S MOTION
FOR LEAVE TO APPEAL IN FORMA PAUPERIS (ECF No. 32),**

Petitioner Michael Darby is a state prisoner in the custody of the Michigan Department of Corrections. On October 26, 2020, the Court issued an Opinion and Order that (1) denied Darby's petition for a writ of habeas corpus, (2) granted Darby a limited certificate of appealability, and (3) granted Darby leave to appeal *in forma pauperis*. (See Op. and Order, ECF No. 26.)

On December 22, 2020, Darby filed a motion asking that the Court grant him leave to appeal *in forma pauperis*. (See Mot., ECF No. 32.) The Court previously granted that request in its Opinion and Order denying Darby's habeas petition. (See Op. and Order, ECF No. 26, PageID.1792.) Through this order, the Court **CONFIRMS** that Darby may proceed *in forma pauperis* on appeal. Thus, to the

extent Darby's motion seeks leave to appeal *in forma pauperis*, the motion is

GRANTED.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: December 22, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 22, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(810) 341-9764