

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHNNY STANLEY,

Plaintiff,

v.

BEVERLY HAYNES-LOVE, et al.,

Defendants.

Case No. 18-cv-10207

Paul D. Borman
United States District Judge

**ORDER TRANSFERRING PLAINTIFF'S MOTION FOR AN EXTENSION
OF TIME [ECF NO. 47] TO THE COURT OF APPEALS FOR THE SIXTH
CIRCUIT**

This is a closed prisoner civil rights case. On August 21, 2019, the Court adopted the Magistrate Judge's Report and Recommendation, granted the defendants' motion for summary judgment, and dismissed this case in its entirety. (ECF Nos. 41 and 42.) On September 17, 2019, Plaintiff filed a notice of appeal. (ECF No. 43.) He subsequently applied for leave to proceed without prepayment of the appellate filing fee (ECF No. 45), and on November 7, 2019, this Court denied his application. (ECF No. 46.)

Plaintiff then applied to the United States Court of Appeals for permission to proceed *in forma pauperis* (IFP) on appeal. The Sixth Circuit denied Plaintiff's IFP motion and directed him to pay the appellate filing fee to the District Court within

thirty days of the Sixth Circuit's order. *See Stanley v. Haynes-Love, et al.*, No. 19-2095 (6th Cir. Feb. 26, 2020). Plaintiff tendered a motion for reconsideration of the Sixth Circuit's order, but the Sixth Circuit declined to accept the motion because it was untimely. *Stanley v. Haynes-Love, et al.*, No. 19-2095 (6th Cir. Apr. 22, 2020).

Now before this Court is Plaintiff's motion for an extension of time to pay the appellate filing fee. (ECF No. 47.) Although the appellate filing fee must be paid to the Clerk of this Court, the status of the filing fee is a matter under consideration in the Court of Appeals. Thus, Plaintiff should have filed his motion for extension of time in the Sixth Circuit Court of Appeals. To expedite appellate review of Plaintiff's motion, the Court orders the Clerk of Court to transfer Plaintiff's motion for extension of time to the United States Court of Appeals for the Sixth Circuit for filing in appellate case number 19-2095.

IT IS SO ORDERED.

s/Paul D. Borman
Paul D. Borman
United States District Judge

Dated: May 18, 2020