

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STEVEN NICHOLSON,

Petitioner,

Civil Action No.  
4:14-CV-10828

v.

HONORABLE MARK A. GOLDSMITH  
UNITED STATES DISTRICT JUDGE

RANDALL HAAS,

Respondent.

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**OPINION & ORDER**

**DENYING THE MOTION FOR WAIVER OF FEES AND COSTS (Dkt. 14)**

On April 25, 2016, this Court held the petition for a writ of habeas corpus in abeyance and administratively closed the case (Dkt. 13). On September 7, 2018, Petitioner filed a Notice of Appeal (Dkt. 15). Petitioner on the same day filed a motion for waiver of fees and costs (Dkt. 14). The United States Court of Appeals for the Sixth Circuit subsequently dismissed the appeal, because the court lacked jurisdiction since no final or appealable order had been entered by this Court when the petition was held in abeyance. Nicholson v. Haas, No. 18-2028 (6th Cir. Oct. 4, 2018) (Dkt. 17).

In light of the fact that the Sixth Circuit has dismissed Petitioner's appeal, any request by Petitioner to proceed in forma pauperis on appeal is denied as moot. See Brown v. Dep't of Corr. Oklahoma State Penitentiary, Warden, 597 F. App'x 960, 964 (10th Cir. 2014). Accordingly, Petitioner's "Motion For Waiver of Fees and Costs" (Dkt. 14) is denied as moot.

SO ORDERED.

Dated: July 25, 2019  
Detroit, Michigan

s/Mark A. Goldsmith  
MARK A. GOLDSMITH  
United States District Judge