

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BRYAN C. ALLEN and  
SHELLY A. ALLEN,

Plaintiffs,

Case No. 07-14550

v.

Hon. John Corbett O'Meara

HOMEcomings FINANCIAL,

Defendant.

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**ORDER DENYING PLAINTIFFS' MOTION TO SET ASIDE ORDER**

Before the court is Plaintiffs' motion to set aside the court's December 4, 2008 order denying their application to proceed *in forma pauperis* on appeal. The standard for granting motions for reconsideration is as follows:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant shall not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

LR 7.1(g)(3). In denying *in forma pauperis* status, the court found that Plaintiffs' appeal was not taken in good faith. Plaintiffs have not demonstrated a "palpable defect" with respect to that decision.

Accordingly, IT IS HEREBY ORDERED that Plaintiffs' December 15, 2008 motion to set aside order is DENIED.

s/John Corbett O'Meara  
United States District Judge

Date: January 15, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, January 15, 2009, by electronic and/or ordinary mail.

s/William Barkholz  
Case Manager