

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

JOIE RAYSHAWN BELL,

Petitioner,

v.

CASE NO. 5:13-CV-11212

HONORABLE JOHN CORBETT O'MEARA

UNITED STATES DISTRICT JUDGE

CATHERINE BAUMAN,

Respondent.

**OPINION AND ORDER DENYING THE
MOTION TO PROCEED IN FORMA PAUPERIS ON APPEAL**

On February 11, 2016, this Court denied petitioner's habeas application that had been brought pursuant to 28 U.S.C. § 2254 and also denied petitioner a certificate of appealability and leave to appeal *in forma pauperis*. The United States Court of Appeals for the Sixth Circuit subsequently denied petitioner's application for a certificate of appealability, his motion for leave to proceed *in forma pauperis*, and dismissed the appeal. *Bell v. Bauman*, No. 16-1394 (6th Cir. August 15, 2016).

Pending before the Court is petitioner's "Motion To Proceed In Forma Pauperis on Appeal."

In light of the fact that the Sixth Circuit has dismissed petitioner's appeal and denied him leave to appeal *in forma pauperis*, the motion to proceed *in forma pauperis* on appeal will be denied as moot. *See e.g. United States v. Gardner*, No. CRIM.A.

09-147-KKC, 2013 WL 3070866, at *1 (E.D. Ky. June 17, 2013).

IT IS ORDERED that Petitioner's "Motion To Proceed In Forma Pauperis on Appeal" [Dkt. # 15] is **DENIED AS MOOT**.

SO ORDERED.

s/John Corbett O'Meara
United States District Judge

Date: January 11, 2017

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, January 11, 2017, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager