

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

REGINALD KIBBY,)	
)	
Petitioner,)	
)	
vs.)	Case No. 4:07CV01123 ERW
)	
MIKE KEMNA,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter comes before the Court on Petitioner’s Motion to Proceed In Forma Pauperis and Affidavit in Support -- Habeas Cases [doc. #32].

As set forth in the Judgment entered in this case on December 29, 2010 [doc. #29], Petitioner was not granted a certificate of appealability in this case. Because the Court determined that Petitioner would not be permitted to appeal the denial of his Petition for Writ of Habeas Corpus, his current request to proceed in forma pauperis on appeal will necessarily be denied.

Accordingly,

IT IS HEREBY ORDERED that Petitioner’s Motion to Proceed In Forma Pauperis and Affidavit in Support -- Habeas Cases [doc. #32] is **DENIED**.

Dated this 21st Day of January, 2011.



 E. RICHARD WEBBER
 SENIOR UNITED STATES DISTRICT JUDGE