

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JEFFREY L.G. JOHNSON,)
)
 Plaintiff,)
)
 vs.)
)
 BARACK H. OBAMA, et al.,)
)
 Defendant.)


Case No. 4:10CV2303 CDP

MEMORANDUM AND ORDER

I previously dismissed plaintiff Jeffrey L.G. Johnson’s pro se complaint pursuant to 28 U.S.C. § 1915(e), because I determined that it was frivolous. *See* 28 U.S.C. § 1915(e)(2); *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). I also held that an appeal from that dismissal would not be taken in good faith. Johnson later filed a notice of appeal, and now moves to proceed in forma pauperis on appeal. Under Fed. R. App. P. 24(a)(3), a party who was permitted to proceed in forma pauperis in his district court action may proceed in forma pauperis on appeal, unless the district court “certifies that the appeal is not taken in good faith.” Although I previously permitted Johnson to proceed in forma pauperis, I certified that any appeal of my dismissal would not be taken in good faith.

Accordingly,

IT IS HEREBY ORDERED that Johnson's motion to proceed in forma pauperis on appeal [#9] is denied.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 5th day of January, 2011.