



case, may proceed on appeal in forma pauperis without further authorization, unless the district court -- before or after the notice of appeal is filed -- certifies that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis. In that event, the district court must state in writing its reasons for the certification or finding.

The Court finds that because plaintiff proceeded IFP in the district court, he may now "proceed on appeal in forma pauperis without further authorization."

IT IS ORDERED:

1. Plaintiff's motion for leave to proceed in forma pauperis on appeal (Filing No. [44](#)) is granted.

2. The clerk of the court shall process the appeal and shall provide the Court of Appeals with a copy of this memorandum and order.

3. Plaintiff's motion to stay (Filing No. [40](#)) is denied as moot.

DATED this 4th day of May, 2010.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court