

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

NIT WANG,

Plaintiff,

vs.

NEBRASKA PUBLIC POWER DISTRICT,
(NPPD);

Defendant.

4:13CV3161

ORDER

This matter is before the court on the plaintiff's, Nit Wang's (Wang), Application to Proceed in District Court Without Prepaying Fees or Costs ([Filing No. 73](#)). Wang seeks to proceed in forma pauperis on appeal. When Wang initially filed this action, Wang was pro se and permitted leave to proceed in forma pauperis. See [Filing No. 5](#) - Order. Wang filed a notice of appeal on April 21, 2015. See [Filing No. 72](#). In the notice, Wang states his intention to appeal the court's judgment dismissing the action and providing that the defendant, NPPD, recover from Wang taxable costs of this action, with interest thereon at the rate of .27 percent per annum. See [Filing No. 71](#) - Judgment.

As set forth in Federal Rule of Appellate Procedure 24(a):

(3) **Prior Approval.** A party who was permitted to proceed in forma pauperis in the district-court action, or who was determined to be financially unable to obtain an adequate defense in a criminal case, may proceed on appeal in forma pauperis without further authorization, unless:

(A) 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 and states in writing its reasons for the certification or finding; or

(B) a statute provides otherwise.

Fed. R. App. P. 24.

The court finds that because Wang proceeded in forma pauperis in the district court, he may now "proceed on appeal in forma pauperis without further authorization." Additionally, Wang's appeal appears to be in good faith. Accordingly,

IT IS ORDERED:

Wang's Application to Proceed in District Court Without Prepaying Fees or Costs ([Filing No. 73](#)) is granted. Wang can proceed on appeal without paying the appeal fee.

IT IS FURTHER ORDERED:

Wang's application does not pertain to costs of preparing appeal transcripts. Mr. Wang must contact the court reporter Rogene Schroder at rogecrr@yahoo.com to make arrangement for the preparation and payment of the transcript.

Dated this 2nd day of June, 2015

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge