

IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF NEBRASKA

JOHN MAXWELL MONTIN,	)	
	)	
Plaintiff,	)	4:14CV3142
	)	
v.	)	
	)	
Y. SCOTT MOORE, et al.,	)	ORDER
	)	
Plaintiffs.	)	
_____	)	

This matter is before the Court on plaintiff's motion for leave to appeal in forma pauperis ("IFP") (Filing No. [95](#)). The plaintiff has not previously been granted leave to proceed IFP in this matter. After reviewing the motion and the applicable law, the Court will grant the plaintiff's motion for leave to appeal IFP.

As set forth in Federal Rule of Appellate Procedure 24(a)(1):

Except as stated in Rule 24(a)(3), a party to a district-court action who desires to appeal in forma pauperis must file a motion in the district court. The party must attach an affidavit that:

(A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party's inability to pay or to give security for fees and costs;

(B) claims an entitlement to redress; and

(C) states the issues that the party intends to present on appeal.

Fed. R. App. P. 24(a)(1). In light of the information provided by the plaintiff in his motion for leave to appeal IFP (Filing No. [95](#)), and pursuant to Federal Rule of Appellate Procedure 24(a), the Court concludes that the plaintiff may proceed IFP on appeal. Accordingly,

IT IS ORDERED that plaintiff's motion for leave to appeal IFP (Filing No. [95](#)) is granted.

DATED this 3rd day of March, 2016.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court