

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

PHILLIP JEAN-LAURENT,

15-cv-2217 (JGK)

Plaintiff,

MEMORANDUM OPINION AND  
ORDER

- against -

LATECHAR CORNELIUS, et al.,

Defendants.

---

JOHN G. KOELTL, District Judge:

The pro se plaintiff Phillip Jean-Laurent has moved for leave to proceed *in forma pauperis* on appeal. See ECF No. 70. "The decision of whether to grant a request to proceed *in forma pauperis* is left to the District Court's discretion under 28 U.S.C. § 1915. The Court's discretion is limited in that[] [a]n appeal may not be taken *in forma pauperis* if the trial court certifies in writing that it is not taken in good faith." Burda Media Inc. v. Blumenberg, 731 F. Supp. 2d 321, 322-23 (S.D.N.Y. 2010) (quotation marks omitted). The "good faith" standard is an objective one, and it is not met when a party seeks review of a frivolous claim. See Coppedge v. United States, 369 U.S. 438, 445 (1962); Linden v. Harper & Row Publishers, 490 F. Supp. 297, 300 (S.D.N.Y. 1980) (applying the objective good faith standard in the civil context). Here, the plaintiff has failed to demonstrate that his claims on appeal have any merit.

Accordingly, the plaintiff's application to appeal *in forma pauperis* is **denied** without prejudice to seek the same relief from the Court of Appeals. See Coppedge, 369 U.S. at 445.

The Clerk is directed to close ECF No. 70.

**SO ORDERED.**

**Dated: New York, New York**

**July 24, 2017**

\_\_\_\_/s/\_\_\_\_\_

**John G. Koeltl**

**United States District Judge**