IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

KENNETH BARBOUR,

Plaintiff,

v.

FEDERAL PRISONS, et al.,

Defendants.

Case No. 2:10-cv-978

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Kemp

OPINION AND ORDER

Kenneth Barbour, an inmate at the Red Onion State Prison located in Pound, Virginia, filed this case against a large number of defendants, asserting claims that are, for all intents and purposes, incomprehensible. The case was dismissed because of Mr. Barbour's lengthy history of having cases dismissed as frivolous or in other ways that trigger the "three strikes" provision of the Prison Litigation Reform Act, 28 U.S.C. §1915(g). His appeal of that dismissal order was itself dismissed for failure to prosecute. ECF No. 24. Mr. Barbour then filed a "Motion for Impeachment," which was essentially incomprehensible. In an order dated May 1, 2012, the Court denied that motion and directed the Clerk not to accept any additional filings from Mr. Barbour in this case, and to return those filings to him, unless they were accompanied by a certificate from a licensed attorney that there is a good faith basis for making that filing.

Mr. Barbour appealed the May 1, 2012 order. In an order docketed in this Court on March 26, 2013, the Court of Appeals directed him to pay the appellate filing fee by April 25, 2013 or his appeal would be dismissed. On April 24, 2013, Mr. Barbour filed a document entitled "Motion on Appellate Leave to Repeal Dismissal." ECF No. 32. Although not entirely

clear, he appears to be asking this Court to overrule the order issued by the Court of Appeals and to allow him to prosecute his appeal without paying the filing fee.

This Court has no authority to overrule orders issued by the Court of Appeals. To the extent that Mr. Barbour has directed his filing to this Court, he is requesting relief which simply cannot be granted. His motion, ECF No. 32, is therefore **DENIED.**

IT IS SO ORDERED.

5-9-2013
DATED

EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE