

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA

MA'ALUUM ABDULLAH
aka TODD COOKS,
Plaintiff,
v.
JUSTIN JONES, et al.,
Defendants.

No. CIV 13-211-RAW-SPS

OPINION AND ORDER

On September 27, 2013, plaintiff filed a notice of intent to appeal (Docket No. 41) the court's order (Docket No. 35) denying his objection to the defendants' application to stay proceedings and request for order requiring special report (Docket No. 33) and his objection to the court's order staying the proceedings and requiring a special report (Docket No. 34). The Tenth Circuit dismissed plaintiff's appeal for lack of jurisdiction, because the order plaintiff was attempting to appeal was not final. Abdullah v. Jones, No. 13-7063 (10th Cir. Oct. 25, 2013) (Docket No. 55).

Plaintiff also filed a motion for leave to proceed in forma pauperis on appeal to the Tenth Circuit (Docket No. 50). The court finds the motion should be denied, because the appeal was not taken in good faith, and plaintiff failed to show "the existence of a reasoned, nonfrivolous argument on the law and facts in support of the issues raised on appeal." See Tuttamore v. Lappin, No. 11-1050, 429 Fed. Appx. 687, 692, 693, 2011 WL 1468369, at *5 (10th Cir. Apr. 19, 2011).

ACCORDINGLY, plaintiff's motion for leave to proceed in forma pauperis (Docket No. 50) is DENIED, and he is directed to submit the entire appellate filing fee of \$455.00 within twenty (20) days. The Court Clerk is directed to send a copy of this Opinion and Order to the trust fund officer at plaintiff's facility.

IT IS SO ORDERED this 10th day of February 2014.



RONALD A. WHITE
UNITED STATES DISTRICT JUDGE