

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

REBEKAH GENTRY-YOUNGBLOOD,)	
)	
Plaintiff,)	
)	
v.)	Case No: 1:15-cv-123-TRM-SKL
)	
MGC MORTGAGE, INC., <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Before the Court is a motion filed by Plaintiff Rebekah Gentry-Youngblood (“Plaintiff”) seeking *in forma pauperis* status on appeal [Doc. 52]. Plaintiff has filed a notice of appeal to the United States Court of Appeals for the Sixth Circuit (“Sixth Circuit”) and is seeking *in forma pauperis* status for said filing [Doc. 53].¹

The Sixth Circuit generally requests the district court to make an initial determination regarding whether a party on direct appeal is indigent. Under Fed. R. App. P. 24(a)(3)(A), a party who was permitted to proceed *in forma pauperis* before a district court may also proceed *in forma pauperis* on appeal without further authorization unless “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.” While the district court has determined Plaintiff’s claims lack merit as a matter of law, the order dismissing Plaintiff’s claims does not state that any appeal would not be

¹ While Plaintiff’s notice [Doc. 53] mentions both the United States Court of Appeals and the Tennessee Supreme Court, the Court is interpreting the notice to mean that she has appealed to the Sixth Circuit.

taken in good faith or that Plaintiff is not otherwise entitled to proceed *in forma pauperis* on appeal [Docs. 47, 48].

As Plaintiff was previously permitted to proceed *in forma pauperis* in the district court action [Doc. 4], Plaintiff's motion is **MOOT** under Fed. R. App. P. 24(a)(3). Accordingly, as a matter of rule, Plaintiff may proceed *in forma pauperis* and the motion [Doc. 52] shall be terminated as moot.

SO ORDERED.

ENTER:

s/ Susan K. Lee

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE