Tetter v. Chief US Marshal et al Doc. 19

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DAVID TETTER,	)	
	)	
Plaintiff,	)	
vs.	)	**No. 3:16-CV-1296-N-BH**
	)	
CHIEF U.S. MARSHAL, et al.,	)	
	)	
Defendants.	)	**Referred to U.S. Magistrate Judge**

RECOMMENDATION REGARDING REQUEST TO PROCEED
IN FORMA PAUPERIS ON APPEAL

Pursuant to *Amended Miscellaneous Order No. 6* (adopted by *Special Order No. 2-59* on May 5, 2005), requests to proceed *in forma pauperis* are automatically referred.

Before the Court is the pro se prisoner plaintiff's *Motion to Proceed Under IFP On Appeal*, received January 30, 2017 (doc. 18).

(**X**) The request for leave to proceed *in forma pauperis* on appeal should be **DENIED** because the Court should certify pursuant to 28 U.S.C. § 1915(a)(3) that the appeal is not taken in good faith.

If the Court denies the request to proceed *in forma pauperis* on appeal, the plaintiff may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). *See* Fed. R. App. P. 24(a)(5).

SIGNED this 31st day of January, 2017.

IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE

Dockets.Justia.com