

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

VIRGINIA ARLENE GOFORTH,  
et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 1:09-0003

UNITED STATES OF AMERICA,  
et al.,

Defendants.

**MEMORANDUM OPINION AND ORDER**

Pending before the court is plaintiff's motion to reconsider this court's Order denying her motion to proceed on appeal in forma pauperis. (Doc. # 65). The court had denied the motion to proceed on appeal in forma pauperis because no final order had been entered in the case nor was the order which plaintiff seeks to appeal an interlocutory or collateral order from which plaintiff may take an immediate appeal. On August 23, 2011, the United States Court of Appeals for the Fourth Circuit dismissed plaintiff's appeal for lack of jurisdiction. Accordingly, the motion to reconsider is DENIED.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record and to plaintiff, pro se.

IT IS SO ORDERED this 11th day of October, 2011.

ENTER:



David A. Faber  
Senior United States District Judge