

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**TIMOTHY L. HOELLER,**  
**Plaintiff,**

**v.**

**Case No. 14-cv-0398**

**VILLAGE OF BARRINGTON MANAGER,**  
**on behalf of the Village Board and Police,**  
**Defendant.**

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**DECISION AND ORDER**

Plaintiff Timothy Hoeller, pro se, filed the complaint in this action alleging civil rights violations under 42 U.S.C. § 1983. On April 24, 2014, I granted his motion to proceed in forma pauperis in this court, and I subsequently dismissed his claims for lack of personal jurisdiction and improper venue. Plaintiff has filed a motion for reconsideration as well as a notice of appeal. Having reviewed plaintiff's motion for reconsideration, I see no basis for reconsidering my initial decision, and his motion will be denied.

Plaintiff also moves to proceed in forma pauperis on appeal. However, I permitted plaintiff to proceed in forma pauperis in the district court, and therefore, under Federal Rule of Appellate Procedure 24(a)(3), subject to certain exceptions that are not applicable here, he is automatically permitted to proceed in forma pauperis on appeal. Accordingly, his motion for leave to appeal in forma pauperis will be denied as moot.

**THEREFORE, IT IS ORDERED** that plaintiff's motion for reconsideration (ECF No. 41) is **DENIED**.

**IT IS FURTHER ORDERED** that plaintiff's motion for leave to proceed in forma pauperis on appeal (ECF No. 44) is **DENIED** as **MOOT**.

Dated at Milwaukee, Wisconsin, this 3rd day of March, 2015.

s/ Lynn Adelman

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LYNN ADELMAN  
District Judge