Vaughn v. USA Doc. 17

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN

MAURICE D. VAUGHN

OPINION AND ORDER

v.

14-cv-317-wmc 11-cr-90-wmc

UNITED STATES OF AMERICA

2017, order denying his motion for post-conviction relief under 28 U.S.C. § 2255. Petitioner's notice of appeal was not accompanied by the \$505 fee for filing an appeal. 28

Petitioner Maurice D. Vaughn has filed a notice of appeal of the court's January 6,

U.S.C. § 2253(c)(1)(A); Fed. R. App. P. 22. Petitioner was previously found eligible for court-appointed counsel in his underlying criminal case and was granted *in forma pauperis*

status on his direct appeal. Therefore, the court construes it as including a request for leave

to proceed in forma pauperis on appeal under 28 U.S.C. § 1915. According to 28 U.S.C.

§ 1915(a)(3), "an appeal may not be taken in forma pauperis if the trial court certifies in

writing that it is not taken in good faith." The court does not find petitioner's appeal is

taken in bad faith.

ORDER

IT IS ORDERED that petitioner Maurice D. Vaughn's request for leave to proceed *in forma pauperis* on appeal is GRANTED.

Entered this 6th day of March, 2017.

BY THE COURT:

/s/

WILLIAM M. CONLEY District Judge