

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

QUINTIN D. L'MINGGIO,

Plaintiff,

ORDER

v.

01-C-0559-C

PAMELA BARTELS, SHIRLEY OLSON,
DR. BOSTON, PATTY BOEBEL, JOLENE
MILLIN and SUZANE WATTERS,

Defendants.

Judgment was entered in this case on May 9, 2003, granting defendants' motion for summary judgment and closing this case. Plaintiff filed a timely motion to alter or amend the judgment pursuant to Fed. R. Civ. P. 59(e), which was denied on June 26, 2003. Now plaintiff has filed a notice of appeal. Because the notice is not accompanied by the \$105 fee for filing his appeal, I construe plaintiff's notice to include a request for leave to proceed on appeal in forma pauperis. Plaintiff is no longer a prisoner. He should know that once he is released from confinement, he is no longer subject to the requirements of the 1996 Prison Litigation Reform Act.

Because plaintiff was granted leave to proceed in forma pauperis in this court, he "may proceed on appeal in forma pauperis unless. . .the district court shall certify that the appeal is not taken in good faith or shall find that the party is not entitled so to proceed." Rule 24(a), Federal Rules of Appellate Procedure. Upon review of plaintiff's statement of issues he intends to present on appeal, I cannot find that plaintiff is not entitled to proceed in forma pauperis on appeal, nor can I certify that an appeal would be taken in bad faith.

Accordingly, IT IS ORDERED that plaintiff's request for leave to proceed in forma pauperis on appeal is GRANTED.

Entered this 1st day of August, 2003.

BY THE COURT:

BARBARA B. CRABB
District Judge