

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

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UNITED STATES OF AMERICA,

Plaintiff,

v.

REED ROGALA,

Defendant.  
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ORDER

08-cr-84-bbc

On December 5, 2011, defendant filed a notice of appeal of (1) the court's July 26, 2011 order denying his motion for correction of clerical errors under Fed. R. Crim. P. 36 and (2) the November 4, 2011 order denying his motion for reconsideration. Because his notice of appeal was not accompanied by the \$455.00 filing fee and because defendant had retained counsel at trial, I gave him until January 6, 2012 in which to provide the court an affidavit of indigency so that I could determine his financial eligibility to proceed in forma pauperis on appeal. Defendant has now filed his affidavit. From his financial affidavit, I conclude that defendant qualifies for indigent status on appeal. Furthermore, I do not intend to certify that the appeal is not taken in good faith. Defendant's challenges to his sentence are not wholly frivolous. A reasonable person could suppose that they have some merit. Lee v.

Clinton, 209 F.3d 1025, 1026 (7th Cir. 2000).

ORDER

IT IS ORDERED that defendant's motion to proceed in forma pauperis on appeal is GRANTED.

Entered this 12th day of January, 2012.

BY THE COURT:  
/s/  
BARBARA B. CRABB  
District Judge

