

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

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DIAUNTE SHIELDS,

ORDER

v.

11-cv-327-wmc  
Appeal No. 14-2042

UNITED STATES OF AMERICA.

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On April 22, 2014, this court denied Diaunte Shields's motion for relief pursuant to 28 U.S.C. § 2255 from his conviction and sentence. In that same order, the court granted a certificate of appealability for purposes of 28 U.S.C. § 2253(c). Shields has now filed a notice of appeal and he requests leave to proceed on that appeal without prepayment of the appellate docketing fee (\$505.00). Because it does not appear that Shields has filed his appeal in bad faith or that pauper status is otherwise precluded by Fed. R. App. P. 24(a), the court will grant his motion for leave to proceed *in forma pauperis*.

After considering Shields's inmate trust fund account statement, the court finds that he has adequate financial resources to make an initial partial payment followed by monthly installments until he has paid the full appellate filing fee. Accordingly, the court will assess \$34.00 as an initial partial payment of the \$505.00 appellate docketing fee.

ORDER

IT IS ORDERED that:

1. Having certified that the appeal is not taken in bad faith, Fed. R. App. P. 24(a), the request by Diaunte Shields for leave to proceed *in forma pauperis* on appeal (Dkt. # 13) is GRANTED.
2. For his appeal to proceed, Shields shall make an initial partial payment of \$34.00

towards the \$505.00 appellate docketing fee in each of the above-referenced cases. Shields shall submit a check or money order in that amount, payable to the “Clerk of Court,” **no later than July 18, 2014**. The clerk’s office will ensure that the court’s financial records reflect Shields’s obligation to pay the \$34.00 initial partial payment and the remainder of the \$505.00 fee.

3. It is Shields’s responsibility to show a copy of this order to prison officials to ensure that they are aware they should send his initial partial appeal payment to this court. If Shields does not comply as directed or present proof that he is unable to do so by July 18, 2014, then the clerk of court will advise the court of appeals of his noncompliance. Shields is advised that his failure to comply may result in the dismissal of his appeal.

Entered this 23rd day of June, 2014.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge