

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

PAUL E. WALKER,

Petitioner,

ORDER

09-cr-121-bbc
16-cv-434-bbc

v.

UNITED STATES OF AMERICA

Respondent.

Petitioner Paul Walker has filed a notice of appeal of the court's July 27, 2016 order and judgment denying his motion for post conviction relief under 28 U.S.C. § 2255 and the court's August 16, 2016 denying his motion for reconsideration of the July 27, 2016 order. Petitioner's notice of appeal was not accompanied by the \$505 fee for filing an appeal. 28 U.S.C. § 2253(c)(1)(A); Fed. R. App. P. 22. Therefore, I construe 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." I do not find petitioner's appeal taken in bad faith.

ORDER

IT IS ORDERED that petitioner Paul E. Walker's request for leave to proceed in forma pauperis on appeal is GRANTED.

Entered this 31st day of August, 2016.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge