

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL WINFIELD,

Defendant.

ORDER

01-cr-9-bbc

In an order entered on September 23, 2008, I denied defendant Paul Winfield's motion pursuant to 18 U.S.C. § 3582 and Amendment 706 to the Sentencing Guidelines (dkt. #418). On October 9, 2008, defendant filed a notice of appeal. Because defendant did not pay the \$455 fee for filing his notice of appeal, I construed defendant's notice as including a request for leave to proceed in forma pauperis on appeal pursuant to 28 U.S.C. § 1915. In an order dated October 21, 2008, I denied his request, finding that his appeal was not taken in good faith.

Now defendant has filed his own motion to proceed in forma pauperis on appeal from the September 23, 2008 order. Because this court construed defendant's October 9, 2008 notice of appeal as including a request to proceed in forma pauperis on appeal, and denied

the appeal as not taken in good faith, defendant's current motion will be denied as duplicative.

ORDER

IT IS ORDERED that defendant Paul Winfield's request for leave to proceed in forma pauperis on appeal from this court's order of September 23, 2008 is DENIED as duplicative.

Entered this 1st day of December, 2008.

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