

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

In re:

DONNA S. RING,

Debtor.

DONNA S. RING,

Plaintiff-Appellant,

v.

WILLIAM J. RAMEKER,

Defendant-Appellee.

ORDER

06-C-385-S

On August 31, 2006 judgment was entered in the above entitled matter dismissing plaintiff's appeal from the decision of the United States Bankruptcy Court. On October 25, 2006 plaintiff filed a notice of appeal and a request to proceed in forma pauperis on appeal.

____ In Newlin v. Helman, 123 F.3d 429, 433 (7th Cir. 1997) the United States Court of Appeals discussed the determination of whether an appeal is taken in bad faith as follows:

Frivolousness is an objective inquiry; "good faith" implies a subjective standard. But judges lack access to the plaintiff's mental processes. Thoughts must be inferred from acts. A plaintiff who has been told that the claim is foreclosed and then files a notice of appeal without offering any argument to undermine the district court's conclusion is acting in bad faith.

Plaintiff has not offered argument not cumulative of that already provided to undermine this Court's conclusion that her bankruptcy appeal must be dismissed. Accordingly, plaintiff's request to proceed in forma pauperis on appeal is not taken in good faith and will be denied.

ORDER

IT IS ORDERED that plaintiff's request to proceed in forma pauperis on appeal is DENIED.

Entered this 26th day of October, 2006.

BY THE COURT:

s/
JOHN C. SHABAZ
District Judge