

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

FREDERICK G. KRIEMELMEYER,

Defendant.

ORDER

3:07-cr-00052-bbc

In an order dated November 19, 2007, I considered and denied a host of post-sentencing motions defendant filed in this case, including a motion for a new trial (dkt. #98). On November 20, 2007, I denied several additional post-sentencing motions, including a second motion for a new trial (Dkt. #105). Judgment was entered that same day, on November 20, 2007.

Now the court has received two notices of appeal in this case. In one notice (Dkt. #120), defendant challenges “the final judgment, sentence, and order. . .[of] November 19, 2007.” The second notice (Dkt. #123) is unsigned. It appears to have been submitted for filing by an Adrian Hall “for Frederick-George: Kriemelmeyer.” In this document, defendant purportedly seeks to appeal from the order of this court denying the motion for new trial

“attached hereto and incorporated herein by reference.”

With respect to the notice of appeal that defendant signed and submitted himself (Dkt. #120), I note that it is unaccompanied by the \$455 fee for filing an appeal. Therefore, I construe the motion to include a request for leave to proceed on appeal in forma pauperis, which will be denied. Defendant was not found financially eligible for appointed counsel during the criminal proceedings in this court and he has not made any kind of showing that he is eligible now.

With respect to the second notice of appeal (Dkt. #123), it was improperly filed, so I will take no action with respect to it. Non-parties cannot file documents on behalf of the parties to the lawsuit. In any event, the notice does nothing more than duplicate defendant’s already existing appeal from the November 19, 2007 denial of his motion for a new trial.

ORDER

IT IS ORDERED that

1. Defendant’s request for leave to proceed in forma pauperis on appeal is DENIED because he has not made a showing that he is financially eligible for pauper status.

2. No action will be taken with respect to the second notice of appeal submitted in this case (Dkt. #123) because it is unsigned and was filed by someone other than the defendant.

Entered this 13th day of December, 2007.

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