

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

UNITED STATES OF AMERICA,

ORDER

Plaintiff,

v.

09-cr-114-bbc

MICHAEL STARK,

Defendant.

On October 22, 2015, defendant Michael Stark filed a motion for a modification of his sentence under 18 U.S.C. § 3582, as well as reconsideration of the denial of his request for a three-level reduction in his sentence for his acceptance of responsibility. In an order entered on October 26, 2015, the court denied both motions. On November 5, 2015, defendant filed a notice of appeal. Because defendant's notice of appeal was not accompanied by the \$505 fee for filing an appeal, I construed his notice as a request to proceed in forma pauperis on appeal under 28 U.S.C. § 1915 and denied it in an order entered on November 5, 2015.

Now defendant has filed a motion to proceed on appeal in forma pauperis from the

court's October 26, 2015 order denying his motion under 18 U.S.C. § 3582 and his motion for reconsideration of his claim for a three-level downward adjustment in his sentence for acceptance of responsibility. Because the court denied defendant's request to proceed in forma pauperis on appeal in the November 5, 2015 order, it is not necessary to rule on this issue again.

ORDER

IT IS ORDERED that defendant Michael Stark's request for leave to proceed in forma pauperis on appeal is DENIED as previously ruled upon.

Entered this 19th day of November, 2015.

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