IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, Plaintiffs, vs. TIMOTHY DEFOGGI, Defendant.	**8:13CR105** **ORDER**

This matter comes before the Court on Defendant's, Timothy Defoggi's, Notice of Appeal. Filing No. 489. "A litigant seeking to appeal a judgment must either pay the required filing fees . . . or proceed in forma pauperis . . . ." *Swift v. Williams*, No. 8:17CV331, 2017 WL 6812606, at *1 (D. Neb. Dec. 13, 2017) (citing 28 U.S.C. § 1915; Fed. R. App. P. 3, 24). Defoggi has not paid the filing fee nor filed a motion and affidavit seeking leave to proceed in forma pauperis nor has he previously been granted in forma pauperis status. Thus, the Court denies him leave to proceed in forma pauperis on appeal and orders him to pay the appellate filing fee.

IT IS ORDERED:

1. Defendant is denied leave to proceed in forma pauperis.
2. The Clerk of Court is directed to mail a copy of this order to Defendant at his last known address; and
3. The Clerk of the Court is ordered to provide a copy of this Order to the United States Court of Appeals for the Eighth Circuit along with notification of Defendant's notice of appeal, Filing No. 489.

Dated this 16th day of April, 2024.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO