UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA
OFFICE OF THE CLERK

Denise M. Lucks
Clerk of Court

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Gabriela Acosta
Chief Deputy Clerk

TO: The Honorable Judge Joseph F. Bataillon

FROM: Clerk, U.S. District Court
Gale Gomez

DATE: April 6, 2017

SUBJECT: 8:15cr343 USA v. Jerell Haynie

A party, who has been given permission to proceed in forma pauperis or who is financially unable to obtain an adequate defense in a criminal case, has filed a notice of interlocutory appeal. Pursuant to FRAP 24(a), a party may proceed on appeal in forma pauperis without further authorization unless the district judge certifies that the appeal is not taken in good faith or finds that the party is otherwise not entitled to proceed on appeal in forma pauperis. The district judge shall state in writing the reasons for such a certification or finding.

Please advise the clerk's office of how you intend to proceed so that we may process this appeal:

___X___ No order will be entered in this direct criminal appeal, and the party is permitted to proceed on appeal in forma pauperis.
_____ An order will be entered finding that the party is not entitled to proceed in forma pauperis.
_____ An order will be entered, and the party is permitted to proceed on appeal in forma pauperis.
_____ An order will be entered in this § 2254 or § 2255 case regarding certificate of appealability.

Dated this 6th day of April, 2017.

s/ Joseph F. Bataillon
Senior United States District Judge

Additional Requirement for State Habeas or § 2255 Cases

Pursuant to Rule 22(b) of the Federal Rules of Appellate Procedure and 28 U.S.C. § 2253 (c), the district judge who rendered the judgment shall either issue a certificate of appealability or state the reasons why such a certificate should not be issued.

Transmission of the notice of appeal to the Court of Appeals will be delayed until this court rules on the party's in forma pauperis status and the certificate of appealability.

Forms-Appeal-Memo_IFP_Prisoner_to_Judge_Criminal
Approved Date: 12/22/14

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