IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STEVEN E. MICK, Petitioner, vs. GARY B. RANDALL, District Judge; Respondent.	**8:17CV82** **MEMORANDUM AND ORDER**

Petitioner filed a Notice of Appeal (Filing No. 10) on May 22, 2017. Petitioner appeals from the court's Order and Judgment dated May 4, 2017 (Filing No. 8; Filing No. 9).

As set forth in Federal Rule of Appellate Procedure 24(a)(3)(A):

> (a) Leave to Proceed in Forma Pauperis . . .
>
> > (3) Prior Approval. A party who was permitted to proceed in forma pauperis in the district-court action, or who was determined to be financially unable to obtain an adequate defense in a criminal case, may proceed on appeal in forma pauperis without further authorization, unless:
> >
> > > (A) the district court--before or after the notice of appeal is filed--certifies that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis and states in writing its reasons for the certification or finding . . . .

The court finds that because Petitioner proceeded in forma pauperis in the district court, he may now proceed on appeal in forma pauperis without further authorization.

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IT IS THEREFORE ORDERED that: Petitioner may proceed in forma pauperis on appeal. No certificate of appealability will issue. (*See* Filing No. 8.) The clerk of the court shall provide the Eighth Circuit Court of Appeals with a copy of this order.

Dated this 23rd day of May, 2017.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge