

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 04-10174-01
	)	No. 08-1057-MLB
	)	
BRUCE SEARS,	)	
	)	
Defendant.	)	
_____	)	

MEMORANDUM AND ORDER

Before the court are the following:

1. Defendant's motions for leave to proceed in forma pauperis (Docs. 124 and 126); and
2. Tenth Circuit Clerk's letter to defendant dated June 28, 2010 (Doc. 125).

Defendant seeks a certificate of appealability pertaining to this court's Memorandum and Order of April 28, 2010 denying his motion pursuant to Fed. R. Civ. P. 60(b)(4) (Doc. 120). Defendant does not specify the grounds he wishes to pursue by way of a certificate of appealability and, having reviewed its Memorandum and Order, the court certifies that any appeal is not taken in good faith. 28 U.S.C. § 1915(a)(3).

A copy of this order shall be forwarded to the Tenth Circuit for filing in Case No. 10-3124.

IT IS SO ORDERED.

Dated this 29th day of June 2010, at Wichita, Kansas.

s/ Monti Belot  
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Monti L. Belot  
UNITED STATES DISTRICT JUDGE