

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

TERRY J. MCINTYRE, JR.,

Defendant.

Case No. 06-20047-03

MEMORANDUM & ORDER

This matter comes before the court upon petitioner Terry J. McIntyre, Jr.'s Motion for Leave to Appeal In Forma Pauperis (Doc. 655). Petitioner seeks to proceed in forma pauperis on appeal.

28 U.S.C. § 1915 governs whether petitioner may proceed without prepayment of fees. Section 1915(a)(2) provides that a prisoner must "submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint or notice of appeal, obtained from the appropriate official of each prison at which the prisoner was confined." Petitioner has only provided an account statement for the month of April 2018. Because petitioner has not met § 1915's requirements, his motion must be denied.

IT IS THEREFORE ORDERED that petitioner's Motion for Leave to Appeal In Forma Pauperis (Doc. 655) is denied without prejudice.

Dated May 9, 2018, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge