

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	No. 10-cr-10175-01
)	No. 13-cv-01415-MLB
DESHANE GANTT,)	
)	
Defendant.)	
_____)	

ORDER

Before the court is defendant's application to proceed in forma pauperis (Doc. 67). Defendant is appealing from this court's memorandum and order filed November 22, 2013 denying defendant's pro se motion pursuant to 28 U.S.C. § 2255 (Doc. 63). It does not appear that defendant sought leave to proceed in forma pauperis in connection with his § 2255 motion but defendant was represented in the underlying criminal case by the public defender which indicates that he was determined to be financially unable to obtain an adequate defense by engaging retained counsel.

Pursuant to Fed. R. App. P. 24(a)(3)(A), the court certifies that defendant's appeal is not taken in good faith for the reasons stated in its memorandum and order (Doc. 63). For this reason, defendant's application for leave to appeal in forma pauperis is denied.

Pursuant to Rule 24(a)(4)(A) and (B), the clerk is directed to notify the parties and the Tenth Circuit of this order.

IT IS SO ORDERED.

Dated this 28th day of January 2014, at Wichita, Kansas.

s/Monti Belot

Monti L. Belot

UNITED STATES DISTRICT JUDGE