

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

BRYON JAMES KIRTDOLL,

Petitioner,

v.

CASE NO. 17-3093-SAC

WARDEN JAMES HEIMGARTNER,

Respondent.

MEMORANDUM AND ORDER

This matter is a petition for habeas corpus filed under 28 U.S.C. § 2254. By its Memorandum and Order entered on October 31, 2017, the Court denied the petition and declined to issue a Certificate of Appealability.

On January 5, 2018, petitioner submitted a Notice of Appeal (Doc. #12), and on January 23, he submitted a motion to proceed on appeal in forma pauperis (Doc. #16). The Court has examined the motion and finds petitioner lacks the financial resources to pay the \$505.00 appellate fees.

IT IS, THEREFORE, BY THE COURT ORDERED petitioner's motion to proceed on appeal in forma pauperis (Doc. #16) is granted.

**IT IS SO ORDERED.**

DATED: This 26th day of January, 2018, at Topeka, Kansas.

S/ Sam A. Crow  
SAM A. CROW  
U.S. Senior District Judge