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**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

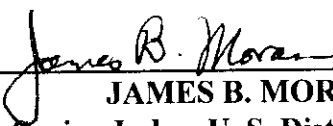
<b>ALLEN J. BENNETT,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
vs.	)	No. 06 C 5637
	)	
<b>ILLINOIS STATE POLICE, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM OPINION AND ORDER**

Plaintiff Allen Bennet erroneously filed a motion for leave to appeal *in forma pauperis* in the Seventh Circuit Court of Appeals. It was transferred to this court for a ruling. Pursuant to 28 U.S.C. § 1915(a), we may authorize plaintiff to proceed *in forma pauperis* if he or she demonstrates an inability to pay the required costs and fees. Plaintiff has so demonstrated. He is currently incarcerated, has two dependent children, and has a fairly substantial negative balance in his correctional center trust fund. He has demonstrated financial need.

Our inquiry, however, does not end with the finding of indigence. As part of the review of a petition to proceed *in forma pauperis* on appeal, we must determine whether the appeal is taken in good faith. 28 U.S.C. § 1915(a)(3); Fed.R.App.Pro. 24(3)(A). Good faith is an objective concept, one synonymous with “frivolous.” Lee v. Clinton, 209 F.3d 1025, 1026 (7th Cir. 2000). We find that plaintiff’s appeal is not in good faith. As noted in our order dismissing his complaint, plaintiff has thrice filed nearly identical claims – once in the federal court, which was dismissed on grounds of prosecutorial immunity and failure to state a claim, and twice in state court, both of which were removed to this court and dismissed on grounds

of collateral estoppel and failure to state a claim. See Bennett v. Illinois State Police, No. 06 C 5637 (N.D.Ill. Feb. 26, 2006). Therefore, we certify in writing that plaintiff's appeal is not taken in good faith and, thus, he cannot proceed on appeal *in forma pauperis*.

  
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JAMES B. MORAN  
Senior Judge, U. S. District Court

April 18, 2007.