

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

GARY WOODROFFE,

Plaintiff,

v.

Case No: 8:15-cv-2610-T-27JSS

STATE OF FLORIDA, *et al.*,

Defendants.

ORDER

BEFORE THE COURT is the Motion for Waiver of Fees and to Reinstate (Dkt. 58). Plaintiff seeks to reinstate his appeal that was dismissed “for want of prosecution” because he “failed to pay the filing and docketing fees to the district court[.]” (Dkt. 57). He contends that because he was found indigent by Florida’s Second District Court of Appeals, “[t]he instant court should do the same.” (Dkt. 58).

To the extent Plaintiff is moving to appeal *in forma pauperis* or seeking reconsideration of the Order denying his construed motion to appeal *in forma pauperis* dated October 6, 2016 (Dkt. 55), that motion is DENIED. As this Court explained previously,

This appeal is not taken in good faith under 28 U.S.C. 1915(a)(3) and Rule 24(a) of the Federal Rules of Appellate Procedure for at least one reason: Plaintiff failed to establish federal court jurisdiction for the removal of his state court child support proceedings, criminal conviction, and state court foreclosure case. Moreover, Plaintiff has not demonstrated “the existence of a reasoned, nonfrivolous argument on the law and facts in support of the issues raised on appeal.” *Mcintosh v. United States Parole Comm’n*, 115 F.3d 809, 812 (10th Cir. 1997) (quoting *DeBardeleben v. Quinlan*, 937 F.2d 502, 505 (10th Cir. 1991)).

(Dkt. 55). And, Plaintiff's instant motion does not demonstrate otherwise. To the extent Plaintiff is seeking reconsideration of the Eleventh Circuit Court of Appeal's denial of his motion for leave to proceed on appeal *in forma pauperis* (Dkt. 56) or dismissal of his case for failing to pay the filing fees (Dkt. 57), this Court is without jurisdiction to reconsider the decisions of the Eleventh Circuit.

DONE AND ORDERED this 8th day of February, 2018.


JAMES D. WHITTEMORE
United States District Judge

Copies to:
pro se Plaintiff
Eleventh Circuit Court of Appeals