

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JAMAAL ALI BILAL,

Petitioner,

v.

Case No: 2:16-cv-329-FtM-38MRM

GEO GROUP, INC. (GEO) and  
KRISTIN KANNER,

Respondents.

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**OPINION AND ORDER**<sup>1</sup>

This matter comes before the Court on Plaintiff Jamaal Ali Bilal's Motion to Proceed on Appeal *In Forma Pauperis* ([Doc. #111](#)) filed on January 10, 2018. Pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), “[a]n appeal may not be taken *in forma pauperis* (IFP) if the trial court certifies in writing that it is not taken in good faith.”

Plaintiff, who is currently civilly confined at the Florida Civil Commitment Center, seeks to appeal the Court’s Order of Dismissal dated August 4, 2017. ([Doc. #90](#)). The Court’s August 4 Order, granted defendants’ motion to dismiss, recognizing that Plaintiff failed to comply with the Court’s orders. Judgment was entered the same day ([Doc. #91](#)). Furthermore, this Court has previously concluded that Plaintiff’s appeal in this matter is

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frivolous. ([Doc. #95](#)). Upon review of this matter, the Court finds that Plaintiff's appeal is not taken in good faith, and certifies that the appeal is not in good faith.

Plaintiff also requests that Defendants be forced to pay for his appeal because the Defendants removed this case from State Court. Pursuant to [28 U.S.C. § 1441](#) Defendants properly removed this case. Therefore, there is no good cause to impose Plaintiff's fee on appeal on the Defendants.

Accordingly, it is now

**ORDERED:**

- (1) Pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#) and [Fed. R. App. P. 24\(a\)\(4\)](#), the Court certifies that this appeal is not taken in good faith.
- (2) Plaintiff Jamaal Ali Bilal's Motion to Proceed on Appeal *In Forma Pauperis* ([Doc. #111](#)) is **DENIED**.
- (3) Plaintiff Jamaal Ali Bilal's Motion to have the Defendants pay his fee on appeal is **DENIED**.
- (4) The **Clerk of Court** shall immediately forward a copy of this Order to the Plaintiff and the Clerk for the United States Court of Appeals for the Eleventh Circuit.

**DONE** and **ORDERED** in Fort Myers, Florida this 9th day of February, 2018.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies:  
All Parties of Record  
SA: FTMP-2