

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 22-1915

Courtney Green

Appellant

v.

Midwest Genealogy Center

Appellee

Appeal from U.S. District Court for the Western District of Missouri - Kansas City
(4:21-cv-00932-FJG)

ORDER

The petition for rehearing by the panel is denied.

August 17, 2022

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 22-1915

Courtney Green

Plaintiff - Appellant

v.

Midwest Genealogy Center

Defendant - Appellee

Appeal from U.S. District Court for the Western District of Missouri - Kansas City
(4:21-cv-00932-FJG)

JUDGMENT

Before LOKEN, COLLOTON, and KOBES, Circuit Judges.

The court has carefully reviewed the original file of the United States District Court and orders that this appeal be dismissed for lack of jurisdiction as the appeal is untimely. Appellant's motion for leave to proceed in forma pauperis is denied as moot.

July 07, 2022

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

Plaintiff's motion for an extension of time to file an appeal states, in full, "The Defendant [sic] Courtney Green is requesting a motion for an extension to file an appeal in case 4:21-cv-00932-FJG closed on 01/10/2022. The defendant [sic] has sent in motion to reconsider along with supporting documentation but has not received any updates or replies from the Court." The Court notes that the time for appealing its Order denying Plaintiff's motion for leave to proceed in forma pauperis has long passed, as the Order (Doc. No. 3) was entered on January 10, 2022. The next docket entry made in Case No. 21-00932 is the motion for extension of time to file an appeal, made over three months later. The Court notes, however, that plaintiff filed a separate motion for leave to file in forma pauperis in a case involving the same defendant, Case No. 4:22-cv-00083-FJG, on February 9, 2022. The Court denied that motion on February 28, 2022. No further filings have been made in case No. 22-0083.

The 30-day deadline for filing a notice of appeal has expired for both Case No. 21-00932 and Case No. 22-00083, see Fed. R. App. P. 4(a)(1)(A)). Upon consideration, Plaintiff's motion for extension of time will be **DENIED**, as plaintiff failed to timely move for an extension of time after the Court entered its order in Case Nos. 21-00932 and 22-00083, and plaintiff has not shown good cause or excusable neglect for missing the appeal deadline in either of those cases. See Fed. R. App. P. 4(a)(5).

IT IS SO ORDERED.

Date: May 9, 2022
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
United States District Judge

COURTNEY GREEN,
Plaintiff,
vs.
MIDWEST GENEALOGY CENTER,
Defendant.

Currently pending before the Court is plaintiff's Motion for Leave to Proceed in Forma Pauperis (Doc. No. 1). Pursuant to 28 U.S.C. § 1915, this Court may authorize the commencement or prosecution of any suit without prepayment of fees when an applicant files an affidavit stating that he is unable to pay the costs of the lawsuit, and the Court determines that the lawsuit is not frivolous or malicious.

Plaintiff's affidavit states that she is single and 29 years old with no dependents. She indicates that she is employed as a retail merchandiser for the past two months, earning a gross income of \$1,800 monthly. Plaintiff indicates that she does not own an automobile or real property. She indicates that she received \$8,000 in unemployment

benefits over the past 12 months, and that those benefits expired on September 13, 2021.

Plaintiff states her monthly rental or house payment obligation is "n/a." Plaintiff otherwise indicates that her monthly obligations include the following: \$850 in household expenses; \$150 in grocery expenses. Plaintiff lists no other expenses.

Based upon the information provided in plaintiff's affidavit, the Court cannot determine that plaintiff is sufficiently impoverished to be granted leave to proceed in forma pauperis. Therefore, the Court will **DENY** plaintiff's application for leave to file this action without payment of fees (Doc. No. 1). If plaintiff wishes to file her Complaint, she shall pay the filing fee on or before **March 7, 2022**.

IT IS SO ORDERED.

Date: January 10, 2022
Kansas City, Missouri

S/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
Chief United States District Judge

U.S. District Court
Western District of Missouri (Kansas City)
CIVIL DOCKET FOR CASE #: 4:21-cv-00932-FJG
Internal Use Only

Green v. Midwest Genealogy Center
Assigned to: District Judge Fernando J. Gaitan, Jr
Demand: \$20,000
related Case: 4:22-cv-00083-FJG
Cause: 48:1985 Conspiracy/Deprivation Civil Rights

Date Filed: 12/27/2021
Date Terminated: 01/10/2022
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Courtney Green
green7126@gmail.com

represented by **Courtney Green**
PO Box 5011
Kansas City, MO 64130
503-902-7898
Email:
PRO SE

V.

Defendant

Midwest Genealogy Center

Email All Attorneys
Email All Attorneys and Additional Recipients

Date Filed	#	Page	Docket Text
12/27/2021	<u>1</u>		MOTION for leave to proceed in forma pauperis filed by Courtney Green. Suggestions in opposition/response due by 1/10/2022 unless otherwise directed by the court. (Attachments: # <u>1</u> Complaint, # <u>2</u> Envelope)(Woods, Gloria) (Additional attachment(s) added on 1/3/2022: # <u>3</u> Civil Cover Sheet) (Woods, Gloria). (Entered: 12/28/2021)
01/03/2022	<u>2</u>		FINANCIAL AFFIDAVIT by Courtney Green. (Woods, Gloria) (Entered: 01/03/2022)
01/10/2022	<u>3</u>		ORDER denying <u>1</u> motion for leave to proceed in forma pauperis. Signed on 1/10/22 by District Judge Fernando J. Gaitan, Jr. (Diefenbach, Tracy) Copy of this order mailed to: Courtney Green, PO Box 5011, Kansas City, MO 64130. (Entered: 01/10/2022)
04/13/2022	<u>4</u>		MOTION for extension of time to file appeal filed by Courtney Green. Suggestions in opposition/response due by 4/27/2022 unless otherwise directed by the court. (Attachments: # <u>1</u> Envelope)(Houston, Kiambu) (Entered: 04/15/2022)
04/29/2022	<u>5</u>		PRO SE NOTICE OF APPEAL as to <u>3</u> Order on Motion for Leave to Proceed in forma pauperis by Courtney Green. Appeal filing fee not paid. (Crocker, Susan)

			(Entered: 04/29/2022)
04/29/2022	<u>6</u>		TRANSMISSION of Notice of Appeal Supplement to US Court of Appeals, 8th Circuit via electronic mail. Related document <u>5</u> Notice of Appeal. (Terry, Jason) (Entered: 04/29/2022)

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI

Courtney Green

Plaintiff/Petitioner

Midwest Genealogy

Defendant/Respondent

Case No. 4:21-cv-00932-FJG

NOTICE OF APPEAL
TO THE US COURT OF APPEALS FOR THE eighth CIRCUIT

Notice is hereby given that I Courtney Green the

Name of party taking the appeal

Plaintiff

hereby appeal to the United States Court of Appeals for
plaintiff, petitioner, defendant or respondent

the Eighth Circuit from the final judgment closed or an order of dismissal

name of the circuit

check this one

or this one

entered in this action on the 10 day of January, 2022

Signed 19

Attorney for

Address:

PO Box 22444

Kansas City, MO 64113

Phone: (816) 316-9139

Fax:

E-Mail: green7126@gmail.com

Courtney Green
PO Box 22444
Kansas City, mo 64113

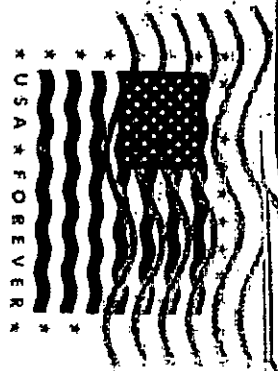
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CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF MO
KANSAS CITY, MO

Charles L
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Kansas

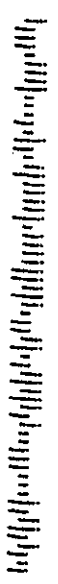
21-932
FJG

withdraw
EX-110

KANSAS CITY 640
27 APR 2022 PM 1:11



64106-260799



U. S. COURT OF APPEALS - EIGHTH CIRCUIT
NOTICE OF APPEAL SUPPLEMENT

MISSOURI WESTERN DISTRICT - KANSAS CITY

Please note any additions or deletions to the style of the case from the style listed on the docket sheet (or attach an amended docket sheet with the final style of the case).

Case Caption: **Green v. Midwest Genealogy
Center**

Case No. **21-cv-00932-FJG**

Appellant: **Courtney Green**

Appellee: **Midwest Genealogy Center**

Appellant's Attorney(s):

Appellee's Attorney(s):

Courtney Green

PO Box 5011

Kansas City, MO 64130

503-902-7898

Email:

PRO SE

Court Reporter(s):

None

Please return files and documents to:

United States District Court

400 East 9th Street, Room 1510

Kansas City, MO 64106

Contact Person for Appeal:

Jason_Terry@mow.uscourts.gov

Length of Trial:

0

Fee:

Not Paid

IFP:

No

Pending IFP Motion:

No

Counsel:

Pro Se

Pending Motions?

Yes

Local Interest?

No

Simultaneous Release?

No

Special Comments: