

In the
United States Court of Appeals
For the Eleventh Circuit

No. 22-12747

DERYKE MATTHEW PFEIFER,

Plaintiff-Appellant,

versus

UNITED STATES OF AMERICA,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Alabama
D.C. Docket No. 1:20-cv-00764-WKW-KFP

Before WILSON, BRANCH, and LAGOA, Circuit Judges.

BY THE COURT:

Deryke Pfeifer, in the district court, moved for leave to proceed on appeal *in forma pauperis*. The district court denied the motion. However, the district court did not assess the \$505.00 appellate filing fee, as is required under the Prison Litigation Reform Act of 1995, 28 U.S.C. § 1915.

Because Pfeifer has consented to paying the filing fee, the only remaining issue is whether the appeal is frivolous. *See* 28 U.S.C. § 1915(e)(2)(B). This Court now finds the appeal is frivolous, DENIES leave to proceed, and DISMISSES the appeal.

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Order of the Court

22-12747

Before WILSON, BRANCH, and LAGOA, Circuit Judges.

BY THE COURT:

Deryke Pfeifer has filed a motion for reconsideration, pursuant to 11th Cir. R. 27-2, of this Court's order denying leave to proceed in his appeal of the *sua sponte* dismissal of his complaint. Upon review, Pfeifer's motion for reconsideration is DENIED because he has offered no new evidence or arguments of merit to warrant relief.