

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

KINLEY MACDONALD,

Plaintiff,

v.

CAUSE NO. 3:22-CV-1002-DRL-MGG

MICHAEL DUDDY, et al.,

Defendants.

ORDER

Kinley MacDonald filed a motion to resolve filing fees as moot and a motion for appointment of counsel. ECF 20; ECF 21. This case is now closed. ECF 6. Kinley MacDonald appealed and the appeal is also closed. ECF 18. To the extent Kinley MacDonald is moving for reconsideration of the court's order granting leave to proceed *in forma pauperis* assessing a filing fee (ECF 4), the court stands by that order; the filing fee was correctly assessed.

For these reasons, the motion to resolve filing fees as moot (ECF 20) and motion for appointment of counsel (ECF 21) are DENIED.

SO ORDERED.

June 2, 2023

s/Damon R. Leichty
Judge, United States District Court

Appendix A

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Appendix A

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen
United States Courthouse
Room 2722 - 219 S. Dearborn Street
Chicago, Illinois 60604



Office of the Clerk
Phone: (312) 435-5850
www.ca7.uscourts.gov

ORDER

July 18, 2023

By the Court:

No. 23-1181	KINLEY MACDONALD, et al., Plaintiff - Appellant v. MICHAEL DUDDY, et al., Defendants - Appellees
Originating Case Information	
District Court No: 3:22-cv-01002-DRL-MGG	
Northern District of Indiana, South Bend Division	
District Judge Damon R. Leichty	

The following are before the court:

1. **MOTION TO STAY PROCEEDINGS**, filed on July 17, 2023, by pro se Appellant Kinley MacDonald.
2. **MOTION TO AMEND COMPLAINT**, filed on July 17, 2023, by pro se Appellant Kinley MacDonald.

This appeal is subject to the Prison Litigation Reform Act, see *Kingsley v. Hendrickson*, 576 U.S. 389, 402 (2015) (PLRA applies to both pretrial detainees and convicted prisoners), and therefore all proceedings are suspended pending the assessment and payment of any necessary fees, see *Newlin v. Helman*, 123 F.3d 429, 434 (7th Cir. 1997). A review of the docket shows that the appellant's fee status has not yet been determined. Specifically, the appellant's motion for leave to proceed on appeal in forma pauperis is currently pending before this court. Accordingly,

IT IS ORDERED that the appellant's motions are **DENIED** without court action, pursuant to the court's fee notice and order dated January 27, 2023.

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

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ORDER

August 4, 2023

Before

MICHAEL Y. SCUDDER, *Circuit Judge*
JOHN Z. LEE, *Circuit Judge*

No. 23-1181	KINLEY MACDONALD, et al., Plaintiff - Appellant v. MICHAEL DUDDY, et al., Defendants - Appellees
Orientating Case Information:	
District Court No: 3:22-cv-01002-DRL-MGG	
Northern District of Indiana, South Bend Division	
District Judge Damon R. Leichty	

The following are before the court:

1. MOTION TO PROCEED IN FORMA PAUPERIS, filed on April 7, 2023, by pro se Appellant Kinley MacDonald.
2. MEMORANDUM IN SUPPORT OF PLRA MOTION FOR LEAVE TO PROCEED ON APPEAL IN FORMA PAUPERIS, filed on April 7, 2023, by pro se Appellant Kinley MacDonald.
3. RENEWED MOTION TO CORRECT ERROR OF FILING FEE, filed on July 31, 2023, by pro se Appellant Kinley MacDonald.

Upon consideration of appellant's motions, the district court's order pursuant to 28 U.S.C. § 1915(a)(3) certifying that the appeal was filed in bad faith, and the record on appeal,

IT IS ORDERED that the motion for leave to proceed in forma pauperis on appeal is **DENIED**. *See Lee v. Clinton*, 209 F.3d 1025 (7th Cir. 2000). The appellant has not identified a good faith issue that the district court erred in dismissing her complaint.

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IT IS FURTHER ORDERED that the motion to correct error in filing fee is **DENIED**.

The appellant shall pay the required docketing fee within 14 days, or this appeal will be dismissed for failure to prosecute pursuant to Circuit Rule 3(b). *See Newlin v. Helman*, 123 F.3d 429, 434 (7th Cir. 1997).

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Appendix A

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

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ORDER

August 8, 2023

No. 23-1181	<p>KINLEY MACDONALD, et al., Plaintiff - Appellant</p> <p>v.</p> <p>MICHAEL DUDDY, et al., Defendants - Appellees</p>
Continuing Case Information	
District Court No: 3:22-cv-01002-DRL-MGG Northern District of Indiana, South Bend Division District Judge Damon R. Leichty	

The following are before the court: **NOTICE OF APPEAL**, filed on August 7, 2023, by the pro se appellant.

The appellant's notice will be filed without further court action.

form name: c7_PLRA_OrderFiled (form ID: 194)

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**Additional material
from this filing is
available in the
Clerk's Office.**