

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HERMAN DOUGLAS, SR. : CIVIL ACTION
: :
vs. : :
: :
KIMBERLY-CLARK CORPORATION : NO. 03-2248

MEMORANDUM

ROBERT F. KELLY, Sr. J.

FEBRUARY 2, 2005

On January 31, 2005, Herman Douglas, Sr. filed a Request to Appeal this Court's Order of January 12, 2005 In Forma Pauperis. That request will be denied because the Appeal is frivolous and I hereby certify that the Appeal is not taken in good faith under 28 U.S.C. § 1915(a)(3). This is based upon the matters set forth in this Court's Memorandum Opinion of January 12, 2005 filed in the above-captioned case. It is also based upon the Memorandum Opinion of Judge John Fullam filed in Civil Action No. 93-1123 at 1993 WL 523691 [EDPA]; Judge Herbert Hutton's Memorandum Opinion filed in Civil Action No. 96-2428 at 1998 WL 165080 [EDPA] and Judge Charles Weiner's Memorandum Opinion filed at Civil Action No. 03-2248, 2003 WL 22795778 [EDPA].

In addition I note that this attempted Appeal was filed the day before the defendant was due in Court to respond to a Petition for Counsel Fees and Costs and Injunctive Relief. In my opinion based upon the history of this case that attempted Appeal was to prevent this Court from going forward with that hearing.

I therefore enter the following Order.

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ORDER

AND NOW, this 2nd day of February, 2005, Herman Douglas, Sr.'s Pro Se
Motion to Appeal this Court's Order of January 12, 2005 In Forma Pauperis is hereby **DENIED**.

BY THE COURT:

/s/Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE