

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FT. PIERCE DIVISION  
CASE NO: 99-14027-CV-GRAHAM

FILED by *EW* D.C.  
FEB 10 2005  
CLARENCE MADDOX  
CLERK U.S. DIST. CT.  
S.D. OF FLA. - MIAMI

MARCELLUS M. MASON, JR.,

Plaintiff,

vs.

HIGHLANDS COUNTY BOARD  
OF COMMISSIONERS, et al.,

Defendants.

**ORDER DENYING MOTION TO PROCEED ON APPEAL IN FORMA PAUPERIS**

**THIS CAUSE** came before the court upon Plaintiff's Motion to Appeal In Forma Pauperis (D.E. 937).

**THE COURT** having reviewed the issues at hand and being fully advised in the premises, it is hereby

**ORDERED AND ADJUDGED** that Plaintiff's Motion for Leave to Appeal In Forma Pauperis is **Denied**. On June 20, 2001, in view of Plaintiff's repeated refusal to comply with the Court's rules and orders, the Court dismissed Plaintiff's case with prejudice. On April 17, 2003, the United States Court of Appeals for the Eleventh Circuit denied Plaintiff's appeal and affirmed this Court's Order dated June 20, 2001.

**DONE AND ORDERED** in Chambers, at Miami, Florida, this 10<sup>th</sup> day of February, 2005.

*[Signature]*  
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DONALD L. GRAHAM  
UNITED STATES DISTRICT JUDGE

cc: Marcellus M. Mason, Jr.  
Counsel of Record

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