

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

August 22, 2024

Christopher M. Wolpert
Clerk of Court

JOHN MIGUEL SWAN,

Petitioner - Appellant,

v.

STEPHEN P. FRIOT,

Respondent - Appellee.

No. 24-6172
(D.C. No. 5:24-CV-00475-D)
(W.D. Okla.)

ORDER

The above-captioned appeal was opened in error and is administratively closed.

Appellant John Miguel Swan previously appealed the district court's judgment dismissing his application for a writ of habeas corpus under 28 U.S.C. § 2241. *See* appeal no. 24-6147. Mr. Swan now seeks to appeal the district court's order denying leave to proceed *in forma pauperis* in appeal no. 24-6147. [ECF No. 27].

Under the Federal Rules of Appellate Procedure, Mr. Swan may ask this court to review *both* the district court's decision to dismiss his habeas application *and* the district court's decision to deny his motion to proceed *in forma pauperis* on appeal by applying for a certificate of appealability in appeal no. 24-6147 and by filing—in this court, in appeal no. 24-6147—a renewed motion to proceed *in forma pauperis* on appeal. *See* Fed. R. App. P. 22(b); 24(a)(5).

Accordingly, this appeal—no. 24-6172—is closed.

Entered for the Court

A handwritten signature in black ink, appearing to read 'C. M. Wolpert', with a long horizontal stroke extending to the right.

CHRISTOPHER M. WOLPERT, Clerk