

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
GEORGIA, MACON DIVISION**

Ervin Joiner v. Houston County Sheriff's Department

Civil Action No. 5:25-cv-00145-TES · No. 5:25-cv-00145-TES · Decided January 27, 2026

OPINION

JOINER

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

ERVIN JOINER,

Plaintiff, CIVIL ACTION NO. v. 5:25-cv-00145-TES

HOUSTON COUNTY SHERIFF'S

DEPARTMENT,

Defendant.

ORDER

On November 25, 2025, the Court dismissed Plaintiff's 28 U.S.C. § 2254 claims and denied Plaintiff a certificate of appealability ("COA"). [Doc. 14]. Plaintiff now files a Motion for Leave to Appeal In Forma Pauperis ("IFP") and a Notice of Appeal. [Doc. 19]; [Doc. 16]. However, Plaintiff's Notice of Appeal does not list any issues Plaintiff intends to present on appeal, as required under Federal Rule of Appellate Procedure 24(a). Fed. R. App. P. 24(a). Instead, Plaintiff appears to summarize both this case and state court proceedings, and asks for a "date to be reviewed before this court" [Doc. 16]. In addition to not complying with Rule 24, Plaintiff also may not appeal without a COA. Cobble v. Sellers, No. 5:14-cv-313-MTT, 2014 WL 5364028, at *1 (M.D. Ga. Oct. 21, 2014) ("Petitioner cannot appeal without a certificate of appealability so his Motion for Leave to Proceed In Forma Pauperis . . . is moot."). This Court denied Plaintiff a COA. [Doc. 14]. Accordingly, Plaintiff's Motion for Leave to Proceed IFP is DENIED as moot. SO ORDERED, this 27th day of January, 2026. S/ Tilman E. Self, III

TILMAN E. SELF, III, JUDGE

UNITED STATES DISTRICT COURT