

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, WESTERN DIVISION

Corey Allen Jones v. Jennifer Friddell, et al.

Jones · No. 3:25-cv-2693 · Decided February 19, 2026

SUMMARY

The United States District Court for the Northern District of Ohio denies Corey Allen Jones's motion to proceed in forma pauperis on appeal. The court certifies that the proposed appeal lacks an arguable basis in law or fact, noting that denial of a temporary restraining order generally is not appealable.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Western Division
WRITING FOR THE COURT	Jeffrey J. Helmick
JURISDICTION	United States District Court for the Northern District of Ohio, Western Division
DECIDED	February 19, 2026
DOCKET	3:25-cv-2693
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought permission to appeal in forma pauperis without prepaying the appellate filing fee after the court denied his emergency motion for a temporary restraining order and his motion for reconsideration.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915(a)(3), an appeal may not proceed in forma pauperis if the trial court certifies that it is not taken in good faith; an appeal lacks good faith when it lacks an arguable basis in law or fact.
PRECEDENTIAL VALUE	unknown
PARTIES	Corey Allen Jones v. Jennifer Friddell, et al.

TOPICS

- appellate procedure
- appellate jurisdiction
- injunctions
- civil procedure

PRACTICE AREAS

Civil procedure

Federal courts

Appellate procedure

In forma pauperis appeals

Temporary restraining orders

QUESTIONS PRESENTED

1. Whether Jones could proceed in forma pauperis on an appeal challenging the denial of a temporary restraining order and reconsideration when the proposed appeal lacked an arguable basis in law or fact.

HOLDINGS

1. Jones may not proceed in forma pauperis on appeal because the proposed appeal lacks an arguable basis in law or fact and therefore is not taken in good faith.

KEY QUOTATIONS

“Section 1915 provides “[a]n appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith.””

“An appeal is not taken in good faith when “it lacks an arguable basis either in law or in fact.”” (325)

“denial of a motion for a temporary restraining order generally is not appealable.” (572)

FACTUAL BACKGROUND

Jones sought emergency injunctive relief in the district court. The court denied his motion for a temporary restraining order and later denied his motion for reconsideration. Jones sought to appeal, arguing that the court had mischaracterized the facts and misapplied the law.

PROCEDURAL HISTORY

The district court denied Jones's emergency motion for a temporary restraining order and his motion for reconsideration. Jones then moved under 28 U.S.C. § 1915(a)(3) to proceed in forma pauperis on appeal. The court certified that the proposed appeal was not taken in good faith and denied the motion.

DISPOSITION

other

CASES CITED

- Neitzke v. Williams, 490 U.S. 319, 325 (1989)
- Overstreet v. Lexington-Fayette Urban County Government, 305 F.3d 566, 572 (6th Cir. 2002)

OPINION

Jones

PER CURIAM.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Corey Allen Jones, Case No. 3:25-cv-2693 Plaintiff, v. ORDER Jennifer Friddell, et al., Defendants. Plaintiff Corey Allen Jones requests permission to proceed with an appeal without first paying the filing fee. (Doc. No. 11). Jones seeks to argue on appeal that I mischaracterized the facts and misapplied the law when I denied his emergency motion for a temporary restraining order as well as his motion for reconsideration of that decision. (Doc. No. 10). Section 1915 provides “[a]n appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith.” 28 U.S.C. § 1915(a)(3). An appeal is not taken in good faith when “it lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989). The United States Court of Appeals for the Sixth Circuit previously has held that the “denial of a motion for a temporary restraining order generally is not appealable.” *Overstreet v. Lexington-Fayette Urban Cnty. Gov’t*, 305 F.3d 566, 572 (6th Cir. 2002) (citing cases). For that reason, as well as for the reasons stated in my earlier Memorandum Opinions and Orders, I conclude the issues Jones seeks to raise on appeal lack an arguable basis in law or in fact. I deny his motion to proceed in forma pauperis on appeal. (Doc. No. 11). So Ordered. s/ Jeffrey J. Helmick United States District Judge