

No. 06-3485

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED
Feb 24, 2009
LEONARD GREEN, Clerk

COLEEN L. POWERS,)
)
Petitioner,)
)
v.)
)
U.S. DEPARTMENT OF LABOR,)
)
Respondent.)
)

ORDER

Before: COLE and COOK, Circuit Judges; EDMUNDS, District Judge.*

This matter is before us upon our directive to Coleen L. Powers, a pro se petitioner, to show cause why her in forma pauper status should not be permanently revoked and why she should not be required to obtain leave of this court before proceeding with any future petition for review or appeal. Powers has failed to respond to our show cause order filed November 24, 2008.

Upon consideration, we hereby permanently enjoin Powers from proceeding in forma pauperis in this court. We also enjoin Powers from filing any new appeals surrounding her alleged termination for participating in whistleblower activities without first obtaining leave of this court. In order to obtain leave of this court, Powers shall certify that the claim or claims she wishes to present are new claims never before raised or disposed of by the agency, review board or any federal court. She shall certify that her action is taken in good faith and that the claims she raises are not frivolous or malicious.

*The Honorable Nancy G. Edmunds, United States District Judge for the Eastern District of Michigan, sitting by designation.

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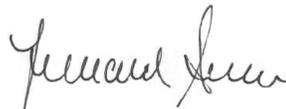
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A motion for leave to appeal must be captioned "Application Pursuant to Court Order Seeking Leave to Appeal," and Powers must affix a copy of this order to that motion. This motion must be filed with this court within ten days after Powers files a notice of appeal for which leave of court must first be obtained. Failure to comply strictly with the terms of this injunction will be grounds for summarily denying leave to appeal.

The above procedures shall govern any appeals in this court filed by Powers against Pinnacle Airlines, the State of Tennessee, and any other respondent related to whistleblowing activity, until such time as the court may order otherwise.

Upon timely filing of a complete petition for leave to appeal, Powers shall pay the appropriate filing fee. The clerk of the Sixth Circuit shall then direct the clerk of the appropriate district or the appropriate agency to transmit the record of the underlying case. No further proceedings shall take place in this court, nor shall any other filings be accepted until this court has reviewed the petition and the record to determine whether Powers's appeal presents a colorable claim not previously litigated.

ENTERED BY ORDER OF THE COURT

A handwritten signature in cursive script, appearing to read "Leonard Green".

Leonard Green
Clerk