

Accordingly, it is ORDERED as follows:

1. The Defendant's motion for appointment of counsel is DENIED.
2. The Defendant's motion to proceed on appeal *in forma pauperis* is hereby DENIED, and the appeal in this cause is hereby certified, pursuant to 28 U.S.C. § 1915(a), as not taken in good faith.

DONE this 20th day of May, 2008.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE