UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. ALVARO COBIAN GOMEZ, Defendant.	No. 2:07-cr-0248 WBS DAD ORDER

On March 6, 2014, the assigned District Judge referred this matter to the undersigned for resolution of defendant's motion "to verify leave to proceed in forma pauperis," (Dkt. No. 1271), and motion requesting a report on the status of his case. (Dkt. No. 1278.) Therein, defendant asserts that he was previously granted leave to proceed in forma pauperis on August 22, 2013, and seeks confirmation of such from the court. However, a review of the court's docket reveals no support for defendant's assertion that he was previously granted leave to proceed in forma pauperis.

Nonetheless, the court takes judicial notice of the fact that the defendant previously completed and submitted a financial affidavit in support of his request for the appointment of counsel in connection with this criminal prosecution, (Dkt. No. 26), that the defendant was represented by appointed counsel throughout the proceedings in this criminal action, that after defendant stated a desire to represent himself on appeal the assigned District Judge allowed

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defendant's appointed counsel to withdraw after filing a notice of appeal on defendant's behalf, (Dkt. No. 1252), and that the defendant is currently incarcerated and proceeding pro se. In light of this record, the court will grant the defendant leave to proceed in forma pauperis on appeal.

To the extent the defendant is attempting to inquire about the status of his appeal, the defendant is directed to contact the United States Court of Appeals for the Ninth Circuit and reference his case number before that court, 13-10487.

Accordingly, defendant Alvaro Cobian Gomez is granted leave to proceed in forma pauperis on appeal. The Clerk of the Court is also directed to serve a copy of this order on the Office of the Federal Defender.

IT IS SO ORDERED.

Dated: March 24, 2014

Dale A. Drozd

DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE