

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN ROBERT GANOE,
Plaintiff,
v.
T. ABREU, et al.,
Defendants.

No. 2:16-cv-0019 GEB CKD P

ORDER

Plaintiff, a state prisoner proceeding in forma pauperis, sought relief in this action pursuant to 42 U.S.C. § 1983. Judgment was entered on August 8, 2017. On September 7, 2017, plaintiff filed a notice of appeal and plaintiff seeks leave to proceed in forma pauperis on appeal.

The Federal Rules of Appellate Procedure provide as follows:

[A] party who was permitted to proceed in forma pauperis in the district court action . . . may proceed on appeal in forma pauperis without further authorization unless . . . the district court. . . certifies that the appeal is not taken in good faith or finds that the party is not otherwise not entitled to proceed in forma pauperis . . .

Fed. R. App. P. 24(a)(3). Plaintiff was permitted to proceed in forma pauperis in this action and it does not appear that plaintiff's appeal is taken in bad faith. Accordingly, plaintiff's motion for leave to proceed in forma pauperis on appeal will be denied as unnecessary.

////

////

1 In accordance with the above, IT IS HEREBY ORDERED that plaintiff's September 5,
2 2017 motion to proceed in forma pauperis on appeal is denied as unnecessary. See Fed. R. App.
3 P. 24(a)(3).

4 Dated: September 18, 2017

Garland E. Burrell, Jr.
GARLAND E. BURRELL, JR.
Senior United States District Judge