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8 UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 JOHN ROBERT GANOE,  
12 Plaintiff,

13 v.

14 T. ABREU, et al.,  
15 Defendants.  
16

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

ORDER

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

20 The Federal Rules of Appellate Procedure provide as follows:

21 [A] party who was permitted to proceed in forma pauperis in the  
22 district court action . . . may proceed on appeal in forma pauperis  
23 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 . . .

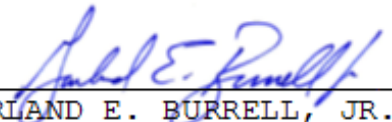
24 Fed. R. App. P. 24(a)(3). Plaintiff was permitted to proceed in forma pauperis in this action and  
25 it does not appear that plaintiff's appeal is taken in bad faith. Accordingly, plaintiff's motion for  
26 leave to proceed in forma pauperis on appeal will be denied as unnecessary.

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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

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8 GARLAND E. BURRELL, JR.  
9 Senior United States District Judge  
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