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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WAYNE P. DeBERRY,  
Plaintiff,

1:07-cv-00850-OWW-NEW(DLB)-PC

vs.

ORDER GRANTING APPLICATION TO  
PROCEED IN FORMA PAUPERIS

STEPHEN MAYBERG, et al.,  
Defendants.

(DOCUMENT #2)

Plaintiff, Wayne P. DeBerry (“plaintiff”) is a civil detainee proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed his complaint on June 13, 2007. Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000)

In the instant action, plaintiff filed an application to proceed in forma pauperis. Examination of these documents reveals that plaintiff is unable to afford the costs of this action. Accordingly, the motion to proceed in forma pauperis is GRANTED

IT IS SO ORDERED.

Dated: June 19, 2007

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE