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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GARRISON S. JOHNSON,	CASE NO. 1:08-cv-00640-LJO-DLB PC
Plaintiff,	ORDER DISREGARDING APPLICATION TO
v.	PROCEED IN FORMA PAUPERIS AS MOOT
JOHN DOVEY, et al.,	(Doc. 32)
Defendants.	

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983.

On April 23, 2009, Magistrate Judge Dennis L. Beck issued Findings and Recommendations recommending that certain claims and defendants be dismissed, and that the action proceed on the claims found to be cognizable. (Doc. 20.) On July 9, 2009, District Judge Lawrence J. O’Neill adopted the Findings and Recommendations. On July 21, 2009, Plaintiff filed a notice of appeal. On July 22, 2009, the appeal was processed to the Court of Appeals for the Ninth Circuit.

On July 21, 2009, Plaintiff filed a motion for leave to proceed in forma pauperis on appeal. Pursuant to Rule 24 of the Federal Rules of Appellate Procedure, a party who was permitted to proceed in forma pauperis in the district-court action may proceed in forma pauperis on appeal without prior authorization. In this case, Plaintiff’s application to proceed in forma pauperis was granted on May 13, 2008. In light of this rule, IT IS HEREBY ORDERED that:

1. Plaintiff’s application to proceed in forma pauperis on appeal is DISREGARDED

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AS MOOT; and

2. The Clerk of Court is DIRECTED to serve a copy of this order on the Court of Appeals for the Ninth Circuit.

IT IS SO ORDERED.

Dated: August 7, 2009

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE