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

1:08-cv-00765-SMS (PC)

EMELITO EXMUNDO,

Plaintiff,

vs.

R. KEVORKIAN, et al.,

Defendants.

ORDER GRANTING MOTION TO PROCEED
IN FORMA PAUPERIS ON APPEAL
and
DIRECTING CLERK TO SERVE
THE COURT OF APPEALS

(DOCUMENT #34)

_____ /

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

On October 22, 2009, judgment was entered dismissing plaintiff's complaint. (Doc. 27.) On December 10, 2009, plaintiff filed a notice of appeal, and on January 5, 2010, plaintiff filed an application to proceed in forma pauperis. (Docs. 29, 34.) Examination of plaintiff's application to proceed in forma pauperis reveals that plaintiff is unable to afford the costs of an appeal. Accordingly, the application to proceed in forma pauperis on appeal is GRANTED.

See 28 U.S.C. § 1915. The Clerk is directed to serve a copy of this order on the Court of Appeals for the Ninth Circuit.

IT IS SO ORDERED.

Dated: January 14, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE