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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

DANNY JAMES COHEA,

Plaintiff,

v.

D. ADAMS, et al.,

Defendants.

CASE NO. 1:08-cv-01186-LJO-BAM PC

ORDER DISREGARDING PLAINTIFF'S  
MOTION FOR PERMISSION TO FILE APPEAL

(ECF No. 95)

Plaintiff Danny James Cohea ("Plaintiff") is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action was dismissed on December 21, 2011, for failure to prosecute. (ECF No. 86.) On January 4, 2012, Plaintiff filed a motion for reconsideration, and notice of appeal. (ECF Nos. 88, 89.) Plaintiff's motion for reconsideration was denied on January 26, 2012. (ECF No. 91.) On February 28, 2012, in response to a referral from the Ninth Circuit, a notice and order issued finding that Plaintiff is not entitled to proceed in forma pauperis on appeal pursuant to 28 U.S.C. § 1915(g). (ECF No. 94.) On March 29, 2012, Plaintiff filed a motion for permission to appeal the revocation of his in forma pauperis status. (ECF No. 95.)

This court has found that Plaintiff is not entitled to proceed in forma pauperis on appeal, and his motion for permission to file an appeal shall be disregarded. If Plaintiff wishes to receive in forma pauperis status on appeal, he must seek leave from the appellate court. Fed. R. App. P. 24(a)(5).

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