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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

| | | |
|---------------|---|------------------------------|
| BETTY HANSEN, |) | 1:08-CV-01697 LJO JMD HC |
| |) | |
| Petitioner, |) | ORDER GRANTING PETITIONER'S |
| |) | MOTION TO PROCEED IN FORMA |
| v. |) | PAUPERIS ON APPEAL [Doc. 30] |
| |) | |
| TINA HORNBEAK |) | |
| |) | |
| Respondent. |) | |

Petitioner is a state prisoner proceeding pro se with an appeal to the Ninth Circuit Court of Appeals. Petitioner is challenging the denial of his petition for writ of habeas corpus.

On November 23, 2009, the Magistrate Judge issued a findings and recommendations, recommending that the petition for writ of habeas corpus be denied with prejudice. On January 7, 2010, the Court adopted the Magistrate Judge's recommendation and denied the petition. The Court further directed the Clerk of Court to enter judgment.

On February 5, 2010, Petitioner filed a notice of appeal pertaining to the entry of judgment and a motion to proceed in forma pauperis on appeal. (Court Docs. 28, 30). Examination of Petitioner's request reveals that Petitioner is unable to afford the costs of the appeal. See Rule 24(a)(1), Federal Rules of Appellate Procedure; 28 U.S.C. § 1915.

Accordingly, Petitioner's application to proceed in forma pauperis on appeal is GRANTED.

IT IS SO ORDERED.

Dated: March 10, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE