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

MICHAEL E. TILTON,

1:09-cv-00527-AWI-MJS (HC)

Petitioner,

ORDER GRANTING MOTION TO
PROCEED IN FORMA PAUPERIS ON
APPEAL

vs.

and
DIRECTING CLERK TO SERVE THE
COURT OF APPEALS

JAMES EDWARD MACDONALD,

Respondent.

(Doc. 27)

_____ /

Petitioner is a prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On August 3, 2010, judgment was entered dismissing the petition for writ of habeas corpus. On August 20, 2010, Petitioner filed a notice of appeal and on September 16, 2010 an application to proceed in forma pauperis. Examination of Petitioner’s application to proceed in forma pauperis reveals that Petitioner 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: December 20, 2010

Isl. Michael J. Seng
UNITED STATES MAGISTRATE JUDGE