

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

ISMAEL RIVERO, 1:09-cv-01414-OWW-JMD (HC)

Petitioner,

**ORDER GRANTING MOTION TO PROCEED  
IN FORMA PAUPERIS ON APPEAL**

and  
DIRECTING CLERK TO SERVE  
THE COURT OF APPEALS

11

J. HARTLEY,

### Respondent.

(DOCUMENT #19)

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

On February 2, 2011, judgment was entered denying the petition for writ of habeas corpus. On February 18, 2011, petitioner filed a notice of appeal and 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:** February 25, 2011

/s/ John M. Dixon  
UNITED STATES MAGISTRATE JUDGE