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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BILAL AHDOM,
Plaintiff,
v.
ARAICH, et al.,
Defendants.

Case No. 1:09-cv-01874-AWI-BAM (PC)
Appeal No. 18-16999
ORDER REGARDING *IN FORMA PAUPERIS*
STATUS ON APPEAL

Plaintiff Bilal Ahdom, (“Plaintiff”), a state prisoner proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983. On September 28, 2018, the Court granted Defendants’ motion for terminating sanctions and dismissed this action, with prejudice, due to Plaintiff’s failure to comply with a court order. (ECF Nos. 238, 239.) On October 12, 2018, Plaintiff filed a notice of appeal. (ECF No. 240.)

On October 23, 2018, the Ninth Circuit Court of Appeals referred the matter back to this Court for the limited purpose of determining whether *in forma pauperis* status should continue for the appeal. 28 U.S.C. § 1915(a)(3). The Court finds that this appeal is not taken in bad faith and is not frivolous. Accordingly, *in forma pauperis* status should not be revoked and should continue on appeal.
IT IS SO ORDERED.

Dated: October 24, 2018

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE