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

DENARD DARNELL NEAL,

1:10-cv-00005-SMS (HC)

Petitioner,

ORDER GRANTING MOTION TO PROCEED
IN FORMA PAUPERIS ON APPEAL

vs.

DIRECTING CLERK TO SERVE COPY ON
COURT OF APPEALS

HECTOR RIOS, et al.,

(DOCUMENT #10)

Respondent.

Petitioner is a prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

On February 5, 2010, judgment was entered dismissing the petition for writ of habeas corpus. On February 17, 2010, petitioner filed a notice of appeal, and subsequently filed an application to proceed in forma pauperis on March 22, 2010. 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: March 29, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE