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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

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9 THOMAS J. GABBA, 1:10-cv-00414-OWW-SMS (PC)
10 Plaintiff, ORDER GRANTING APPLICATION
11 v. TO PROCEED IN FORMA PAUPERIS
12 ARNOLD SCHWARZENEGGER, et al., (Doc 9)
13 Defendants.
14 _____ /

15 Plaintiff is a civil detainee proceeding pro se in a civil rights action pursuant to 42 U.S.C. §
16 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are
17 civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page
18 v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000)

19 In the instant action, plaintiff filed an application to proceed in forma pauperis.
20 Examination of these documents reveals that plaintiff is unable to afford the costs of this action.

21 **Accordingly, the motion to proceed in forma pauperis is GRANTED.**

22 **IT IS SO ORDERED.**

23 **Dated: April 5, 2010**

24 /s/ Sandra M. Snyder
25 UNITED STATES MAGISTRATE JUDGE
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