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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KENNETH A. SMITH,  
Plaintiff,  
v.  
CDC STATE PRISON,  
Defendant.

1:10-cv-01791 GSA (PC)  
ORDER GRANTING MOTION TO  
PROCEED IN FORMA PAUPERIS  
  
(DOCUMENT #8)

\_\_\_\_\_ /

Plaintiff is a former state prisoner proceeding with a civil rights action pursuant to 42 U.S.C. § 1983.

On October 22, 2010, plaintiff filed an application to proceed in forma pauperis. Examination of these documents reveals that plaintiff is unable to afford the costs of this action. Accordingly, the motion to proceed in forma pauperis is GRANTED.

IT IS SO ORDERED.

**Dated: October 28, 2010**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE