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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA

8 PAUL C. HAMILTON,
9 Plaintiff,

10 v.

11 J. A. YATES, et al.,
12 Defendants.
13

Case No. 1:10-cv-01925-LJO-MJS (PC)

**ORDER DENYING AS MOOT MOTION
TO PROCEED IN FORMA PAUPERIS
ON APPEAL**

(ECF No. 79)

14 Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil
15 rights action brought pursuant to 28 U.S.C. § 1983. On February 8, 2016, Plaintiff filed a
16 notice of appeal (ECF No. 75) and a motion to proceed in forma pauperis on appeal
17 (ECF No. 79).

18 On May 18, 2016, the Ninth Circuit issued an order revoking Plaintiff's IFP status
19 on appeal because he has had three or more prior actions or appeals dismissed as
20 frivolous, malicious, or for failure to state a claim, pursuant to 28 U.S.C. § 1915(g). The
21 Ninth Circuit directed Plaintiff to pay the \$505.00 filing fee to the district court within 21
22 days after the date of its order.

23 Accordingly, Plaintiff's motion to proceed in forma pauperis on appeal (ECF No.
24 79) is HEREBY DENIED as moot.
25 IT IS SO ORDERED.

26 Dated: May 23, 2016

27 /s/ Michael J. Seng
28 UNITED STATES MAGISTRATE JUDGE

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