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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DUNG LE,

1:10-cv-02209-DLB (HC)

Petitioner,

ORDER GRANTING IN FORMA PAUPERIS
STATUS ON APPEAL AND DIRECTING
CLERK OF COURT TO SERVE COPY OF
ORDER ON NINTH CIRCUIT COURT OF
APPEALS

v.

J. HARTLEY,

[Doc. 17]

Respondent.

_____ /

Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On May 3, 2011, judgment was entered denying his petition for writ of habeas corpus. On June 2, 2011, petitioner filed a notice of appeal.

On June 2, 2011, Petitioner filed an application to proceed in forma pauperis on appeal. Examination of petitioner’s application to proceed in forma pauperis reveals that petitioner is unable to afford the costs of an appeal. Fed. R. App. P. 24(a)(1). 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: June 3, 2011

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE