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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAUL ERNEST ALONSO-PRIETO,
Plaintiff,
v.
B. PIERCE,
Defendant.

Case No. 1:11-cv-00024-MJS (PC)

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

(ECF No. 90)

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 28 U.S.C. § 1983. On December 10, 2014, the action was dismissed for Plaintiff's failure to obey a court order and failure to prosecute. (ECF No. 80.) Plaintiff appealed. (ECF No. 84.)

On January 5, 2015, the United States Court of Appeals for the Ninth Circuit referred the matter to this Court to determine whether Plaintiff's in forma pauperis status should be revoked. (ECF No. 88.) This Court did not respond to the referral notice within twenty-one days, and Plaintiff's in forma pauperis status therefore was continued automatically pursuant to Federal Rule of Appellate Procedure 24(a).

1 Before the Court is Plaintiff's February 12, 2015 motion for continued in forma
2 pauperis status on appeal. (ECF No. 90.) In light of the automatic continuation of
3 Plaintiff's in forma pauperis status pursuant to Rule 24(a), his motion is HEREBY
4 DENIED as moot.

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6 IT IS SO ORDERED.

7 Dated: March 6, 2015

8 /s/ Michael J. Seng
9 UNITED STATES MAGISTRATE JUDGE
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