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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

DAVID CARTER,

1:12-cv-00829-AWI-JLT (HC)

Petitioner,

ORDER GRANTING MOTION TO PROCEED
IN FORMA PAUPERIS ON APPEAL

vs.

and
DIRECTING CLERK TO SERVE
THE COURT OF APPEALS

JAMES D. HARTLEY,

Respondent.

(Docs. 17, 18)

_____ /

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

On July 23, 2012, judgment was entered dismissing the petition for writ of habeas corpus. On August 13, 2012, petitioner filed a notice of appeal and an application to proceed in forma pauperis. Examination of petitioner’s application to proceed in forma pauperis reveals that petitioner is unable to afford the costs of an appeal. 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: August 14, 2012

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE