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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DARNELL DUKES,)	1:12cv00941 LJO DLB PC
)	
Plaintiff,)	ORDER REGARDING PLAINTIFF’S
)	IN FORMA PAUPERIS STATUS
vs.)	ON APPEAL
)	
C. GARCIA,)	(Document 74)
)	
Defendant.)	

Plaintiff Darnell Duker (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on June 11, 2012. The Court granted summary judgment on May 27, 2015.

Plaintiff filed a notice of appeal on June 22, 2015.

On June 25, 2015, the Ninth Circuit referred the appeal to this Court for the limited purpose of determining whether in forma pauperis status should continue for this appeal, or whether the appeal is frivolous or is taken in bad faith. 28 U.S.C. § 1915(a)(3).

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1 Plaintiff's appeal is not frivolous, nor is it taken in bad faith. Accordingly, Plaintiff's in
2 forma pauperis status should continue on appeal.

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4 IT IS SO ORDERED.

5 Dated: June 26, 2015

6 /s/ Dennis L. Beck
7 UNITED STATES MAGISTRATE JUDGE
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