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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTHONY A. SHARP,)	1:13-cv-00534-AWI-BAM (PC)
)	
Plaintiff,)	ORDER REGARDING IN FORMA
)	PAUPERIS STATUS ON APPEAL
vs.)	
)	
MARGARET MIMS, et al.,)	
)	
Defendants.)	

Plaintiff Anthony A. Sharp (“Plaintiff”), a civil detainee proceeding pro se and in forma pauperis, filed this civil rights action on April 15, 2013. On July 1, 2014, the Court dismissed this action for failure to state a cognizable section 1983 claim and judgment was entered. Plaintiff filed a notice of appeal on July 14, 2014.

On July 16, 2014, the Ninth Circuit Court of Appeals referred the matter back to this Court for the limited purpose of determining whether in forma pauperis status should continue for the appeal, or whether the appeal is frivolous or taken in bad faith. 28 U.S.C. § 1915(a)(3).

The Court finds that this appeal is not taken in bad faith and is not frivolous. Accordingly, in forma pauperis status should not be revoked and should continue on appeal. IT IS SO ORDERED.

Dated: July 18, 2014

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE