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6 **UNITED STATES DISTRICT COURT**

7 EASTERN DISTRICT OF CALIFORNIA

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9 REAMEL CURTIS, ) 1:13-cv-02090-LJO-BAM (PC)  
10 Plaintiff, ) APPEAL NO. 15-16049  
11 vs. ) ORDER REGARDING IN FORMA  
12 JEFFREY BEARD, et al., ) PAUPERIS STATUS ON APPEAL  
13 Defendants. )  
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15 Plaintiff Reamel Curtis ("Plaintiff"), a state prisoner proceeding pro se and in forma  
16 pauperis, filed this civil rights action on December 26, 2013. On January 29, 2015, the Court  
17 dismissed this action for failure to obey a court order. Plaintiff appealed.

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

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

23  
24 IT IS SO ORDERED.

25 Dated: May 29, 2015

26 /s/ Barbara A. McAuliffe  
27 UNITED STATES MAGISTRATE JUDGE  
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