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7 **UNITED STATES DISTRICT COURT**

8 EASTERN DISTRICT OF CALIFORNIA
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10 DEWEY MITCHELL,

Case No. 1:14-cv-00317-LJO-SKO (PC)

11 Plaintiff,

ORDER DENYING MOTION FOR LEAVE
TO PROCEED IN FORMA PAUPERIS ON
APPEAL AS MOOT

12 v.

13 GALEY, et al.,

(Doc. 24)

14 Defendants.
15 _____/

16 On October 27, 2015, this civil rights action was dismissed, with prejudice, for failure to
17 state a claim upon which relief may be granted. 28 U.S.C. §§ 1915(e)(2)(B)(ii); 1915A. On
18 November 9, 2015, Plaintiff Dewey Mitchell, a state prisoner proceeding pro se, filed a notice of
19 appeal and a motion seeking leave to proceed in forma pauperis on appeal.

20 Plaintiff was proceeding in forma pauperis in this court and therefore, his motion for leave
21 to proceed in forma pauperis on appeal is HEREBY ORDERED DENIED as moot. Fed. R. App.
22 P. 24(a)(3).
23 IT IS SO ORDERED.

24 Dated: January 6, 2016

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE