UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RALPH GARBARINI, Plaintiff, v. WAYNE ULIT, et al., Defendants.	Case No. 1:14-cv-01058-AWI-SAB (PC) ORDER DENYING PLAINTIFF'S MOTION FOR IN FORMA PAUPERIS STATUS ON APPEAL AS UNNECESSARY [ECF No. 139]

On October 30, 2017, the Court granted Defendants' motions for summary judgment and judgment was entered in favor of Defendants.

On November 13, 2017, Plaintiff filed a notice of appeal to the United States Court of Appeals for the Ninth Circuit. On this same date, Plaintiff filed a motion for leave to proceed in forma pauperis on appeal. (ECF No. 139.)

A party who is permitted to proceed in forma pauperis in the district court may proceed in forma pauperis on appeal without further authorization unless the district court certifies that the appeal is not taken in good faith. See Fed. R. App. P. 24(a)(3). Here, Plaintiff was granted in forma pauperis status on July 9, 2014 (ECF No. 4); thus, he is automatically entitled to proceed in forma pauperis on appeal, and his motion shall be denied as unnecessary.

IT IS SO ORDERED.

Dated: **January 11, 2018**

UNITED STATES MAGISTRATE JUDGE