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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MATTHEW POWELL,)	Case No.: 1:15-cv-00089-SAB (PC)
)	
Plaintiff,)	
)	ORDER DENYING PLAINTIFF’S MOTION
v.)	FOR IN FORMA PAUPERIS STATUS ON
)	APPEAL AS UNNECESSARY
M. BARRON, et al.,)	
)	[ECF No. 51]
Defendants.)	
)	
)	

Plaintiff Matthew Powell is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On August 11, 2016, the Court denied Plaintiff’s motion for reconsideration of the dismissal of certain claims for failure to state a cognizable claim for and as barred by the applicable statute of limitations. (ECF No. 47.) On September 12, 2016, Plaintiff filed a notice of appeal of the Court’s decision. (ECF No. 48.)

On October 6, 2016, Plaintiff filed a motion for leave to proceed in forma pauperis on appeal. (ECF No. 51.)

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

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status on January 26, 2015 (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: October 7, 2016



UNITED STATES MAGISTRATE JUDGE