

1
2
3
4
5 **UNITED STATES DISTRICT COURT**

6 EASTERN DISTRICT OF CALIFORNIA

8 ANDREW FRANCISCO VELASQUEZ,

9 Petitioner,

10 v.

11 STU SHERMAN,

12 Respondent.

Case No. 1:15-cv-01472-DAD-EPG-HC

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

(ECF No. 32)

13
14 Petitioner is a state prisoner who proceeded *pro se* with a petition for writ of habeas
15 corpus pursuant to 28 U.S.C. § 2254. On February 24, 2017, the Court adopted the Magistrate
16 Judge's findings and recommendation and denied the petition. (ECF No. 26).

17 On March 27, 2017, Petitioner filed the instant motion to proceed *in forma pauperis* on
18 appeal. (ECF No. 32). The Court previously permitted Petitioner to proceed *in forma pauperis* in
19 this action. (ECF No. 5). Therefore, Petitioner does not require further authorization to appeal *in*
20 *forma pauperis*. Fed. R. App. P. 24(a)(3).

21 Accordingly, Petitioner's motion to proceed *in forma pauperis* on appeal (ECF No. 32) is
22 DENIED as MOOT.

23
24 IT IS SO ORDERED.

25 Dated: March 29, 2017

26 /s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE