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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PABLO HOLGUIN,
Plaintiff,
v.
WICKS,
Defendant.

Case No. 1:16-cv-00346-DAD-BAM (PC)
ORDER DENYING MOTION FOR LEAVE
TO PROCEED *IN FORMA PAUPERIS* ON
APPEAL AS MOOT
(ECF No. 93)

On September 17, 2019, the Court denied Plaintiff’s motion for summary judgment and granted Defendant’s cross-motion for summary judgment, and directed the Clerk of the Court to close this case. (ECF No. 85.) Judgment was entered accordingly the same date. (ECF No. 86.) On October 24, 2019, following an extension of time, Plaintiff filed a notice of appeal. (ECF No. 90.) Currently before the Court is Plaintiff’s motion for leave to proceed *in forma pauperis* on appeal, filed December 16, 2019. (ECF No. 93.)

A review of the docket in the pending appeal reveals that Plaintiff’s *in forma pauperis* status continues on appeal. See Documents 5–7 in Case No. 19-17163 (9th Cir.). Accordingly, Plaintiff’s motion to proceed *in forma pauperis* on appeal is HEREBY DENIED as moot. Fed. R. App. P. 24(a)(3).
IT IS SO ORDERED.

Dated: December 17, 2019

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE