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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSEPH MARCOS DURAN,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 1:16-cv-00347-SAB

ORDER REQUIRING PLAINTIFF TO FILE
AFFIDAVIT FOR LEAVE TO PROCEED ON
APPEAL WITHOUT PREPAYMENT OF FEES

On April 7, 2017, an order issued denying Plaintiff Joseph Marcos Duran’s appeal from the final decision of the Commissioner of Social Security and judgment was entered in favor of the Commissioner of Social Security and against Plaintiff. (ECF Nos. 19, 20.) Plaintiff filed a notice of appeal and a motion to proceed in forma pauperis on April 19, 2017. (ECF Nos. 21, 23.)

Pursuant to Rule 24 of the Federal Rules of Appellate Procedure, “a party to a district-court action who desires to appeal in forma pauperis must file a motion in the district court.” Fed. R. App. P. 24(a). “The party must attach an affidavit that: (A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party’s inability to pay or to give security for fees and costs; (B) claims an entitlement to redress; and (C) states the issues that the party intends to present on appeal.” Plaintiff’s application to proceed in forma pauperis on appeal does

1 not comply with the requirements of Rule 24.

2 Accordingly, IT IS HEREBY ORDERED that within ten (10) days of the date of service
3 of this order, Plaintiff shall file an affidavit that complies with Rule 24 of the Federal Rules of
4 Appellate Procedure.

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6 IT IS SO ORDERED.

7 Dated: April 20, 2017


UNITED STATES MAGISTRATE JUDGE

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