UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CALEB FARES GIHA,

Petitioner,

v.

JEFFERSON B. SESSIONS III,
U.S. ATTORNEY GENERAL,

Respondent.

Case No. 1:16-cv-00893-EPG

ORDER GRANTING MOTION TO PROCEED *IN FORMA PAUPERIS* ON APPEAL

(ECF No. 69)

On October 22, 2018, Caleb Fares Giha ("Petitioner") filed a notice of appeal to the United States Court of Appeals for the Ninth Circuit for review of a final judgment, (ECF Nos. 66, 67), in favor of Respondent, the United States Attorney General. (ECF No. 68.) Petitioner also filed an application to proceed *in forma pauperis* on appeal. (ECF No. 69).

Pursuant to 28 U.S.C. § 1915, a court may authorize the appeal of a civil action without prepayment of any fees by a party who submits an affidavit demonstrating that such party is unable to pay the fees or give security therefor. 28 U.S.C. § 1915(a)(1). In turn, Rule 24(a)(1) of the Federal Rules of Appellate Procedure provides that "a party to a district-court action who desires to appeal *in forma pauperis* must file a motion in the district court. 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

1 that the party intends to present on appeal." Fed. R. App. P. 24(a)(1).

2   Petitioner has made the necessary showing under 28 U.S.C. § 1915, and has submitted the

3 information required under Rule 24. Accordingly, Petitioner's motion to proceed *in forma pauperis*

4 on appeal is granted.

5   The Clerk of the Court is directed to serve a copy of this order on the United States Court

6 of Appeals for the Ninth Circuit.

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8 IT IS SO ORDERED.

9   Dated: **October 24, 2018**   /s/ *Eric P. Groin*

10   UNITED STATES MAGISTRATE JUDGE

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