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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEENAN WILKINS,
Plaintiff,
v.
STANISLAUS COUNTY, et al.,
Defendants.

Case No. 1:16-cv-01858-DAD-BAM
APPEAL NO. 18-16232
ORDER REGARDING IN FORMA PAUPERIS
STATUS ON APPEAL

Plaintiff Keenan Wilkins (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On June 19, 2018, the Court dismissed this action for Plaintiff’s failure to state a claim, and judgment was entered. (ECF Nos. 15, 16.) Plaintiff appealed.

On July 6, 2018, the Ninth Circuit Court of Appeals referred the matter back to this Court for the limited purpose of determining whether in forma pauperis status should continue for the appeal or whether the appeal is frivolous or taken in bad faith. 28 U.S.C. § 1915(a)(3). The Court finds that this appeal is not taken in bad faith and is not frivolous. Accordingly, in forma pauperis status should not be revoked and should continue on appeal.

IT IS SO ORDERED.

Dated: July 17, 2018

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE