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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

RAMON CISNEROS,

Petitioner,

v.

J. LIZARRAGA,

Respondent.

Case No. 1:17-cv-00402-AWI-SAB-HC

ORDER DENYING REQUEST FOR  
EXTENSION OF TIME

(ECF No. 23)

Petitioner is a state prisoner who proceeded pro se and in forma pauperis with a § 2254 petition for writ of habeas corpus. On January 5, 2018, the Court denied the petition for writ of habeas corpus and declined to issue a certificate of appealability. (ECF No. 21). On February 7, 2018, the Court received Petitioner’s notice of appeal and a request for extension of time to file motions for a certificate of appealability and to proceed in forma pauperis. (ECF No. 23).

A party who is permitted to proceed in forma pauperis in the district court may proceed in forma pauperis on appeal without further authorization unless the district court certifies that the appeal is not taken in good faith. See Fed. R. App. P. 24(a)(3). Here, Petitioner was previously granted in forma pauperis status on March 20, 2017. (ECF No. 4). Therefore, Petitioner is entitled to proceed in forma pauperis on appeal without further authorization.

In the January 5, 2018 order denying the petition, the Court declined to issue a certificate of appealability, finding that “reasonable jurists would not find the Court’s determination that

1 Petitioner's federal habeas corpus petition should be denied debatable or wrong, or that the  
2 issues presented are deserving of encouragement to proceed further. Petitioner has not made the  
3 required substantial showing of the denial of a constitutional right." (ECF No. 21 at 2).

4 Accordingly, Petitioner's request for extension of time (ECF No. 23) is denied as  
5 unnecessary.

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7 IT IS SO ORDERED.

8 Dated: March 5, 2018

  
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SENIOR DISTRICT JUDGE

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