

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA
8

9 THOMAS C. SHRADER,
10

11 Petitioner,

12 v.

13 B. WATSON,
14

15 Respondent.

CASE NO. 1:17-cv-00685-DAD-SKO HC

ORDER DENYING AS MOOT PETITIONER'S
MOTION FOR WAIVER OF APPELLATE
FILING FEE

16 Petitioner, a federal prisoner appealing this Court's denial of his petition for writ of habeas
17 corpus pursuant to 28 U.S.C. § 2241, moves the Court for waiver of the appellate filing fee. A petitioner
18 who was authorized to file *in forma pauperis* in the District Court may proceed on appeal without
19 further authorization unless the District Court finds that the appeal is not taken in good faith or that the
20 petitioner is not otherwise entitled to proceed *in forma pauperis*. F.R.App.P. 24(a)(3).
21

22 On May 18, 2017, the Court authorized Petitioner to proceed *in forma pauperis*. Doc. 3. The
23 Court has not found that the appeal was not taken in good faith or that Petitioner is not otherwise entitled
24 to continue without payment of the filing fee. This means that Petitioner's appeal may proceed without
25 the District Court's waiving the appellate filing fee.
26

27 //

28 //

1 Based on the foregoing, Petitioner's motion for waiver of appellate filing fee is hereby DENIED
2 as moot.

3
4 IT IS SO ORDERED.

5 Dated: September 29, 2017

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE