UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DOROTHY GRACE MARAGLINO, Plaintiff, v. J. ESPINOSA, *et al.*, Defendants.	Case No. 1:17-cv-01535-LJO-BAM (PC) Appeal No. 19-16189 ORDER REGARDING *IN FORMA PAUPERIS* STATUS ON APPEAL

Plaintiff Dorothy Grace Maraglino ("Plaintiff"), a state prisoner proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983. On May 30, 2019, the Court dismissed Plaintiff's federal claims for failure to state a claim and declined to exercise supplemental jurisdiction over Plaintiff's state law claims. (ECF No. 27.) Judgment was entered accordingly the same date. (ECF No. 28.) On June 10, 2019, Plaintiff filed a notice of appeal. (ECF No. 29.)

On June 12, 2019, 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. 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: **June 13, 2019**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE