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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LOWELL E. HAMMONS,

No. 2:07-cv-01007-MCE-TJB

Petitioner,

vs.

ORDER

D.K. SISTO, et al.,

Respondents.

_____ /

Petitioner is a state prisoner proceeding with this federal habeas petition pursuant to 28 U.S.C. § 2254. Judgment has been entered in this matter and the matter is currently on appeal to the United States Court of Appeals for the Ninth Circuit. On January 11, 2011, Petitioner filed a request to proceed in forma pauperis on appeal.

Rule 24(a) of the Federal Rules of Appellate Procedure provides that a party to a district court action who desires to appeal in forma pauperis on appeal must file a motion in the district court which:

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1 (A) shows in the detail prescribed by Form 4 of the Appendix of
2 Forms the party's inability to pay or to give security for fees and
costs;


3 (B) claims an entitlement to redress; and

4 (C) states the issues that the party intends to present on appeal.

5 Fed. R. App. P. 24(a)(2). Petitioner has attached a certificate which demonstrates his inability to
6 pay or to give security for fees and costs. In his January 3, 2011 notice of appeal, Petitioner
7 claimed entitlement to redress to the judgment issued by this court. Petitioner has complied with
8 the requirements of Fed. R. App. P. 24(a). Accordingly, his request to proceed in forma pauperis
9 on appeal will be granted.

10 Good cause appearing, IT IS HEREBY ORDERED that Petitioner's January 11, 2011,
11 request to proceed in forma pauperis on appeal is GRANTED.

12 Dated: January 31, 2011

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MORRISON C. ENGLAND, JR.
15 UNITED STATES DISTRICT JUDGE
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