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

CHARLES E. JONES,
Petitioner,

No. 2:09-cv-02664-MCE-TJB

vs.

ORDER

KATHY DICKINSON,
Respondent.

_____ /

Petitioner is a state prisoner proceeding pro se with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On November 16, 2010, an order was issued which adopted the United States Magistrate Judge’s Findings and Recommendation in full, denied the petition with prejudice, and declined to issued a certificate of appealability. Judgment was entered the same date. On December 7, 2010, Petitioner filed a notice of appeal and a request for leave to proceed in forma pauperis.

Rule 24(a)(1) 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
3 costs;
4 (B) claims an entitlement to redress; and
5 (C) states the issues that the party intends to present on appeal.

6 FED. R. APP. P. 24(a)(1). Petitioner has attached the appropriate application, certificate, and
7 inmate statement report, which demonstrate his inability to pay or to give security for fees and
8 costs. In his December 7, 2010, notice of appeal, Petitioner claimed entitlement to redress and
9 seeks habeas relief. Petitioner has complied with the requirements of FED. R. APP. P. 24(a). His
10 request to proceed in forma pauperis on appeal will be granted.

11 Good cause appearing, IT IS HEREBY ORDERED that Petitioner' December 7, 2010,
12 request to proceed in forma pauperis on appeal is granted.

13 Dated: January 31, 2011

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