

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

MARK D. SANDERS,

Petitioner,

vs.

DARREL G. ADAMS, Warden, Corcoran  
State Prison,

Respondent.

No. 2:09-cv-03398-JKS

ORDER

[Re: Motion at Docket No. 27]

At Docket No. 27 Mark D. Sanders, a state prisoner appearing *pro se*, filed an application to proceed *in forma pauperis* on his appeal. There is no filing fee required for a prisoner to appeal from the denial of a petition for a writ of habeas corpus under 28 U.S.C. § 2254.<sup>1</sup> Sanders must, however, obtain a Certificate of Appealability from the Court of Appeals.

**IT IS THEREFORE ORDERED THAT** the Application to Proceed in Forma Pauperis by a Prisoner at Docket No. 27 is **DENIED** as moot.

Dated: September 29, 2011.

/s/ James K. Singleton, Jr.  
JAMES K. SINGLETON, JR.  
United States District Judge

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<sup>1</sup> *Naddi v. Hill*, 106 F.3d 275, 277 (9th Cir. 1997).