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

JOSE L. AGREDANO,

Petitioner,

No. CIV S-10-0427 KJM EFB P

vs.

S. SALINAS,

Respondent.

ORDER

_____/

Petitioner, a state prisoner proceeding without counsel, filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Judgment was entered in this action on February 17, 2012. On February 27, 2012, petitioner filed a notice of appeal. On March 6, 2012, 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 proceed *in forma pauperis* on appeal must file a motion in the district court which:

- (A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party's inability to pay or to give security for fees and costs;
- (B) claims an entitlement to redress; and
- (C) states the issues that the party intends to present on appeal.

Fed. R. App. P. 24(a)(1). Petitioner's motion fails to satisfy all three requirements.

1 Accordingly, IT IS HEREBY ORDERED that petitioner's March 6, 2012 request to
2 proceed *in forma pauperis* on appeal is denied without prejudice. The Clerk of the Court is
3 directed to serve a copy of this order on the United States Court of Appeals for the Ninth Circuit,
4 and petitioner is hereby informed that he may file a motion to proceed *in forma pauperis* in the
5 United States Court of Appeals for the Ninth Circuit. See Fed. R. App. P. 24(a)(5).

6 DATED: April 30, 2012.

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8 EDMUND F. BRENNAN
9 UNITED STATES MAGISTRATE JUDGE
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