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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERTY HERRERA,  
Plaintiff,  
v.  
P. STATTI et al.,  
Defendant.

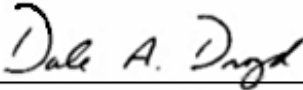
No. 2:10-cv-1154 MCE DAD P

ORDER

Plaintiff has filed a motion to proceed in forma pauperis on appeal. Plaintiff is advised that this court has not issued any appealable orders nor has the court entered judgment in this case. At this time, plaintiff is still preceding in this action on his sole remaining claim that defendant Medina failed to provide him with adequate medical care in violation of the Eighth Amendment.

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to proceed in forma pauperis on appeal (Doc. No. 44) is denied as premature.

Dated: September 17, 2013



DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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