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

SARUN CHUN,

Petitioner,

No. 2:11-cv-1480-MCE-EFB P

vs.

RAUL LOPEZ,

Respondent.

ORDER

_____/

Petitioner, a state prisoner proceeding with counsel, filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Judgment was entered in this action on June 12, 2013. On July 12, 2013, petitioner filed a notice of appeal. On the same date, petitioner filed a request to proceed *in forma pauperis* on appeal. ECF No. 34.

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 July 12, 2013 request to
2 proceed *in forma pauperis* on appeal (ECF No. 34) is denied without prejudice. The Clerk of the
3 Court is directed to serve a copy of this order on the United States Court of Appeals for the
4 Ninth Circuit, and petitioner is hereby informed that he may file a motion to proceed *in forma*
5 *pauperis* in the United States Court of Appeals for the Ninth Circuit. See Fed. R. App. P.
6 24(a)(5).

7 DATED: July 23, 2013.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE