

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

JUAN RAMON RODRIGUEZ,

Petitioner,

vs.

MARION SPEARMAN, Warden,
Correctional Training Facility,

Respondent.

No. 2:12-cv-01923-JKS

ORDER

[Re: Motion at Docket No. 28]

At Docket No. 28, Juan Ramon Rodriguez, a state prisoner appearing *pro se*, filed an application to proceed *in forma pauperis* on appeal. There is no filing fee required for a state prisoner to appeal from the denial of a petition for a writ of habeas corpus under 28 U.S.C. § 2254. *Naddi v. Hill*, 106 F.3d 275, 277 (9th Cir. 1997).

IT IS THEREFORE ORDERED THAT the Motion to Proceed In Forma Pauperis at Docket No. 28 is **DENIED**, as moot.

Dated: July 7, 2013.

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