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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARK WAYNE GRAY,
Petitioner,
v.
BRENDA M. CASH,
Respondent.

No. 2:13-cv-0564-KJM-EFB P

ORDER

Judgment was entered in this action on August 7, 2018. ECF No. 58. On August 20, 2018, petitioner filed a notice of appeal and an application for leave to proceed in forma pauperis on appeal. ECF No. 59. 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 of the requirements set forth in Rule 24(a), and is therefore denied.

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1 Accordingly, IT IS HEREBY ORDERED that petitioner's request to proceed in forma
2 pauperis on appeal (ECF No. 59) is denied without prejudice. The Clerk of the Court is directed
3 to serve a copy of this order on the United States Court of Appeals for the Ninth Circuit, and
4 petitioner is hereby informed that he may file a motion to proceed in forma pauperis in the United
5 States Court of Appeals for the Ninth Circuit. *See* Fed. R. App. P. 24(a)(5).

6 DATED: August 21, 2018.

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8 EDMUND F. BRENNAN
9 UNITED STATES MAGISTRATE JUDGE
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