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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JANET JANDREJACK,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:17-cv-1455-KJN

ORDER

On October 5, 2018, the court affirmed the final decision of the Commissioner and entered judgment for the Commissioner. (ECF Nos. 18, 19.) Thereafter, on December 4, 2018, plaintiff filed a notice of appeal, along with a motion to proceed *in forma pauperis* on appeal. (ECF Nos. 20, 21.)

Federal Rule of Appellate Procedure 24 provides that “a party to a district-court action who desires to appeal in forma pauperis must file a motion in the district court.” Fed. R. App. P. 24(a)(1). Pursuant to 28 U.S.C. § 1915(a)(3), “[a]n appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith.” The good faith standard is an objective one. Coppedge v. United States, 369 U.S. 438, 445 (1962). A plaintiff satisfies the “good faith” requirement if he or she seeks review of any issue that is “not frivolous.” Gardner v. Pogue, 558 F.2d 548, 551 (9th Cir. 1977) (quoting Coppedge, 369 U.S. at 445).

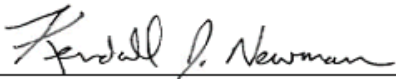
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Based on the present record, the court cannot find that plaintiff's appeal is frivolous or not taken in good faith.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion to proceed *in forma pauperis* on appeal (ECF No. 21) is GRANTED.
2. The Clerk of Court is directed to serve a copy of this order on plaintiff and on the Ninth Circuit Court of Appeals.

Dated: December 5, 2018


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE