1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 CHARLES R. COOKS, No. 2:17-cv-2309-MCE-EFB P 12 Plaintiff. 13 **ORDER** v. 14 CALIFORNIA STATE PRISON SOLANO, et al., 15 Defendants. 16 17 Judgment was entered in this action on October 18, 2018. On November 5, 2018, plaintiff 18 19 filed a notice of appeal and on November 19, 2018, an application for leave to proceed in forma 20 pauperis on appeal. Rule 24(a) of the Federal Rules of Appellate Procedure provides that a party 21 to a district court action who desires to proceed in forma pauperis on appeal must file a motion in 22 the district court which: 23 (A) shows in the detail prescribed by Form 4 of the Appendix of Forms the party's 24 inability to pay or to give security for fees and costs; 25 (B) claims an entitlement to redress; and 26 (C) states the issues that the party intends to present on appeal. 27 Fed. R. App. P. 24(a)(1). Plaintiff's motion fails to satisfy all three of the requirements set forth 28 in Rule 24(a), and is therefore denied. 1

Accordingly, IT IS HEREBY ORDERED that plaintiff's request to proceed in forma pauperis on appeal (ECF No. 17) is denied without prejudice. The Clerk of the Court is directed to serve a copy of this order on the United States Court of Appeals for the Ninth Circuit, and plaintiff is hereby informed that he may file a motion to proceed in forma pauperis in the United States Court of Appeals for the Ninth Circuit. *See* Fed. R. App. P. 24(a)(5).

DATED: November 28, 2018.

EĎMUND F. BRĚNNAN

UNITED STATES MAGISTRATE JUDGE