

United States District Court
For the Northern District of California

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

MICHAEL JAMES WRIGHT,)	No. C 08-2228 SBA (PR)
)	
Petitioner,)	<u>ORDER DENYING LEAVE TO</u>
)	<u>PROCEED IN FORMA PAUPERIS</u>
v.)	<u>ON APPEAL</u>
)	
A. HEDGPETH, Warden,)	
)	
Respondent.)	(Docket No. 37)
_____)	

This matter is now before the Court for consideration of Petitioner's motion for leave to proceed in forma pauperis on appeal. Petitioner's pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging was denied on its merits, and a certificate of appealability was denied in the same order. Petitioner has filed a notice of appeal and a motion for leave to proceed on appeal in forma pauperis. The certificate of appealability was denied because "no reasonable jurist would find the denial of his claims debatable or wrong." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). For the same reason, Petitioner's appeal is not taken in "good faith" and consequently leave to proceed on appeal in forma pauperis is DENIED. See 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED.

DATED: 3/4/11


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL J WRIGHT,
Plaintiff,

Case Number: CV08-02228 SBA

CERTIFICATE OF SERVICE

v.

A HEDGPETH et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 4, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Michael J. Wright V-91600
Pleasant Valley State Prison
24863 W. Jayne Ave.
P.O. Box 8503
Coalinga, CA 93210-8503

Dated: March 4, 2011

Richard W. Wiekling, Clerk
By: LISA R CLARK, Deputy Clerk