

1 HONORABLE RONALD B. LEIGHTON
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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 JAMES T. FLEMING,

12 Petitioner,

13 v.

14 PAT GLEBE,

15 Respondent.

Case No. C10-5213RBL

ORDER

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17 THIS MATTER comes on before the above-entitled Court upon Petitioner's Motion to Proceed *In*
18 *Forma Pauperis* on Appeal [Dkt. #19]. Having considered the entirety of the records and file herein, the
19 Court finds and rules as follows:

20 Petitioner's Motion fails for two reasons: one, the Motion does not indicate what issue or issues
21 the Petitioner plans to present on appeal and is thereby not in conformity with Fed. R. App. P.
22 24 (a)(1)(C); and, two, the Court previously determined that the Petitioner's appeal lacks merit when the
23 Court denied a certificate of appealability under 28 U.S.C. § 2253(c)(2). Therefore,

24 Petitioner's Motion to Proceed *In Forma Pauperis* on Appeal [Dkt. #19] is **DENIED**.

25 **IT IS SO ORDERED.**
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