

United States Court of Appeals For the First Circuit

No.07-2211

OSCAR CABA,

Petitioner - Appellant,

v.

UNITED STATES,

Respondent - Appellee.

ORDER OF COURT

Entered: August 15, 2007

Pursuant to 1st Cir. R. 27.0(d)

Treating appellant's financial affidavit, with attached prison trust account statement, as a motion to proceed on appeal in forma pauperis ("IFP"), we transmit said request to the district court for action in the first instance pursuant to Fed. R. App. P. 24(a)(1). Copies of the district court's ruling shall be forwarded to this court. The district court, if it denies the motion, is requested to state its reasons in writing. Fed. R. App. P. 24(a)(2). If appellant is not granted IFP status by the district court, he may file a motion to proceed IFP in this court, provided that he do so in accordance with Fed. R. App. P. 24(a)(5).

By the Court:

Richard Cushing Donovan, Clerk

MARGARET CARTER

By: _____
Margaret Carter, Chief Deputy Clerk

CERTIFIED COPY
I HEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY OF
THE ORIGINAL ON FILE IN MY OFFICE
AND IN MY LEGAL CUSTODY
FIRST CIRCUIT COURT OF APPEALS
BOSTON, MA
By: Ell. Reed Date: 8/15/07

[Certified copies: Honorable Ernest Torres, Judge, David DiMazzio, Clerk]
[cc: Oscar Caba, Kenneth Madden, AUSA]