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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Ralph John Chapa,  
Plaintiff,  
vs.  
Jeffrey Alvarez, et al.,  
Defendants.

No. CV 12-293-PHX-DGC (DKD)

**ORDER**

Plaintiff Ralph John Chapa, who is confined in Maricopa County Fourth Avenue Jail, filed a *pro se* civil rights Complaint pursuant to 42 U.S.C. § 1983 and an Application to Proceed *In Forma Pauperis*. The Court granted Plaintiff in forma pauperis status and dismissed the Complaint with leave to amend. Plaintiff filed an Amended Complaint. In a February 12, 2013 screening Order, the Court ordered service of the Amended Complaint on Defendant Alvarez and denied Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction.

On March 19, 2013, Plaintiff filed a Notice of Interlocutory Appeal, appealing denial of the Motion for Temporary Restraining Order and Preliminary Injunction. On April 3, 2013, the Ninth Circuit Court of Appeals referred the case to this Court for the limited purpose of determining whether Plaintiff's *in forma pauperis* status should continue on appeal.

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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 Court has reviewed the February 12, 2013 screening Order and finds that the appeal is not taken in good faith.

**IT IS ORDERED** that the Court finds, pursuant to 28 U.S.C. § 1915(a)(3), that Plaintiff’s interlocutory appeal is not taken in good faith. The Clerk of Court must forward a copy of this order to the United States Court of Appeals for the Ninth Circuit.

Dated this 16th day of April, 2013.



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David G. Campbell  
United States District Judge