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

Ralph John Chapa,
Plaintiff,

vs.

Joseph M. Arpaio, et al.,
Defendants.

No. CV 12-2482-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*. In a February 7, 2013 screening Order, the Court dismissed Defendants Maricopa County Board of Supervisors, Brock, Stapley, Wilson, Wilcox, Brewer, Beddome, Sergeant Beddome, Campanaro, McCain, Sanchez, Unknown Lieutenant, Sergeant A5105, and MCSO Maintenance Supervisors, and required Defendant Arpaio to answer the Complaint. The Court also denied Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction.

On February 25, 2013, Plaintiff filed a Motion for Reconsideration, which the Court denied in a March 5, 2013 Order.

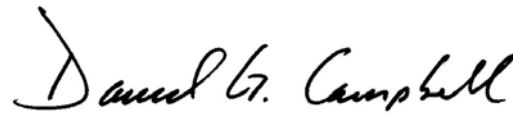
On March 19, 2013, Plaintiff filed Notice of Interlocutory Appeal. On April 3, 2013, the Ninth Circuit Court of Appeals referred the case to this Court for the limited

1 purpose of determining whether Plaintiff's *in forma pauperis* status should continue on
2 appeal.

3 Pursuant to 28 U.S.C. § 1915(a)(3), "[a]n appeal may not be taken in forma
4 pauperis if the trial court certifies in writing that it is not taken in good faith." For the
5 reasons outlined in the February 7, 2013 screening Order, and March 5, 2013 Order
6 denying Plaintiff's Motion for Reconsideration, the Court finds that the appeal is not
7 taken in good faith.

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

11 Dated this 16th day of April, 2013.

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16 David G. Campbell
17 United States District Judge
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