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

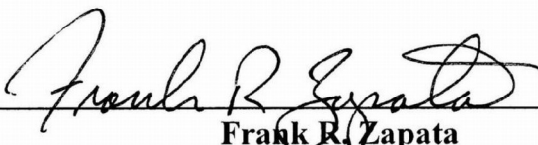
Dana McMaster,  
Plaintiff,  
vs.  
Doctor Thomas, et al.,  
Defendants.

No. CV 1-04-6453-FRZ

**ORDER**

A review of the record reflects that Plaintiff is seeking to proceed in forma pauperis (“IFP”) on appeal. However, as Plaintiff’s appeal in this case is not taken in good faith and is frivolous, Plaintiff’s request to proceed IFP on appeal is denied and IFP status is revoked. *See* 28 U.S.C. §1915(a)(3); *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9<sup>th</sup> Cir. 2002). As stated in the Court’s Order granting summary judgment in this case (Doc. 104), Plaintiff primarily sued Defendants for deliberate medical indifference in violation of the Eighth Amendment. However, the undisputed material, admissible evidence before the Court reflected that Plaintiff received extensive, timely and appropriate medical treatment pertaining to the relatively minor injuries at issue (an ankle injury) which showed that there was no deliberate medical indifference by Defendants, and that Defendants did not fail to take reasonable action to address Plaintiff’s medical needs. The Clerk of the Court shall immediately notify and send a copy of this Order to the Ninth Circuit.

DATED this 30<sup>th</sup> day of May, 2012.

  
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Frank R. Zapata  
Senior United States District Judge