



1 standards. Instead, the allegations remained conclusory, unclear, appeared to involve  
2 separate and unrelated matters, and failed to contain sufficient factual allegations to  
3 state plausible claims. No appellate issue that has an arguable basis in law or fact is  
4 apparent. See Neitzke v. Williams, 490 U.S. 319, 325 (1989); O'Loughlin v. Doe, 920  
5 F.2d 614, 617 (9th Cir. 1990); see also In re Hawaii Corp., 796 F.2d 1139, 1144 (9th Cir.  
6 1986). Therefore, the Court concludes that Plaintiff's appeal is frivolous and that  
7 Plaintiff's in forma pauperis status should not continue during appeal. See 28 U.S.C. §  
8 1915(a)(3).

9  
10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Plaintiff's motion for reconsideration (Doc. No. 16) is DENIED;
- 12 2. In accordance with 28 U.S.C. § 1915(a)(3), Plaintiff is not entitled to proceed in  
13 forma pauperis in the appeal of this case;
- 14 3. As required by Fed. R. App. P. 24(a)(4), this Order serves as notice to the parties  
15 and Ninth Circuit Court of Appeals of the finding that Plaintiff is not entitled to  
16 proceed in forma pauperis for his appeal of this case; and
- 17 4. The Clerk is directed to serve a copy of this order on Plaintiff and Ninth Circuit  
18 Court of Appeals.

19  
20 IT IS SO ORDERED.

21 Dated: March 23, 2017

22   
23 SENIOR DISTRICT JUDGE