1		
2		
3		
4		
5		
6		
7		
8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
10		
11	CHRIS EPPERSON,	Case No. 1:23-cv-01687-KES-SKO
12	Plaintiff,	Appeal No. 24-06252
13	v.	ORDER REVOKING IN FORMA PAUPERIS STATUS ON APPEAL AND DIRECTING
14	UNITED STATES CONGRESS, THE REPUBLICAN PARTY, HOUSE OF	THE CLERK TO SERVE A COPY OF THIS ORDER ON THE UNITED STATES COURT
15	REPRESENTATIVES, BILL CLINTON, BARACK OBAMA, DONALD TRUMP,	OF APPEALS FOR THE NINTH CIRCUIT
16	and GEORGE BUSH,	(Doc. 54)
17	Defendants.	
18		
19	Plaintiff Chris Epperson proceeded pro se and in forma pauperis in this action. On	
20	April 3, 2024, the assigned magistrate judge issued findings and recommendations that	
21	recommended dismissal of this action with prejudice for failure to state a cognizable claim upon	
22	which relief may be granted. Doc. 17. On April 8, 2024, plaintiff filed a two sentence objection	
23	stating, without any specifics, that he objected to the findings and recommendations and intended	
24	to appeal. Doc. 20. On September 30, 2024, the Court adopted the findings and	
25	recommendations and dismissed the action with prejudice for failure to state a cognizable claim.	
26	Doc. 49.	
27	On October 9, 2024, plaintiff appealed. Doc. 51. On October 16, 2024, the Ninth Circuit	
28	Court of Appeals referred the matter back to this Court for the limited purpose of determining	
		1

1	whether in forma pauperis status should continue for the appeal or whether the appeal is frivolou	
2	or taken in bad faith. Doc. 54; see 28 U.S.C. § 1915(a)(3); see also Hooker v. Am. Airlines, 302	
3	F.3d 1091, 1092 (9th Cir. 2002) (revocation of in forma pauperis status appropriate where district	
4	court finds appeal to be frivolous).	
5	Plaintiff's first amended complaint ("FAC") fails to state any cognizable claim and is	
6	unintelligible, even after plaintiff was given leave to amend his initial complaint. Doc. 11.	
7	Plaintiff's statement of claim section states:	
8 9 10	September 24, 1980 gun powder-plot of the Constitution laws had been violated by the actions of the State Legislature in 1961. November 30, 1963 Executive Order 11130 assa[s]ination ploted [sic] character for figure of speech John F. Kennedy.	
11	Doc. 11 at 5. The FAC lists as defendants several former presidents and Vladimir Putin, it has no	
12	clearly discernible factual allegations, and it does not explain how any defendant's action violated	
13	plaintiff's rights. Doc. 11. Therefore, the Court finds that plaintiff's appeal is frivolous.	
14	Accordingly, the Court <b>ORDERS</b> :	
15	1. The appeal is <b>DECLARED FRIVOLOUS</b> .	
16	2. Pursuant to 28 U.S.C. § 1915(a)(3), plaintiff is not entitled to proceed in forma	
17	pauperis in Appeal No. 24-06252.	
18	3. Pursuant to Federal Rule of Appellate Procedure 24(a)(4), this order serves as notice	
19	to the parties and the United States Court of Appeals for the Ninth Circuit of the	
20	finding that plaintiff is not entitled to proceed in forma pauperis for this appeal.	
21	4. The Clerk of Court is directed to serve a copy of this order on the parties and the	
22	United States Court of Appeals for the Ninth Circuit.	
23		
24		
25	IT IS SO ORDERED.	
26	Dated: October 22, 2024 UNITED STATES DISTRICT JUDGE	
27	UNITED STATES DISTRICT JODGE	
28		
	2	