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8	UNITED STATES DISTRICT COURT		
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
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11	MABLE STEINER,	No. 2:13-cv-1457-KJN PS	
12	Plaintiff,		
13	V.	<u>ORDER</u>	
14	VERIZON WIRELESS,		
15	Defendant.		
16			
17	On May 14, 2014, the court granted defendant Verizon Wireless's motion to dismiss		
18	plaintiff Mable Steiner's fifth amended complaint, and dismissed the action with prejudice. (ECF		
19	No. 40.) Thereafter, on June 12, 2014, plaintiff filed a notice of appeal (ECF No. 43), as well as a		
20	motion to proceed in forma pauperis on appeal. (ECF No. 44.)		
21	Federal Rule of Appellate Procedure 24 provides that "a party to a district-court action		
22	who desires to appeal in forma pauperis must file a motion in the district court." Fed. R. App. P.		
23	24(a)(1). Pursuant to 28 U.S.C. § 1915(a)(3), "[a]n appeal may not be taken in forma pauperis if		
24	the trial court certifies in writing that it is not taken in good faith." The good faith standard is an		
25	objective one. Coppedge v. United States, 369 U.S. 438, 445 (1962). A plaintiff satisfies the		
26	"good faith" requirement if he or she seeks review of any issue that is "not frivolous." <u>Gardner v.</u>		
27	Pogue, 558 F.2d 548, 551 (9th Cir. 1977) (quoting Coppedge, 369 U.S. at 445).		
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1	For the reasons stated in the court's May 14, 2014 order, the court finds that the instant	
2	appeal is frivolous. Despite having been provided with fair notice of the deficiencies of her	
3	claims and several opportunities to amend her complaint, plaintiff failed to state a claim upon	
4	which relief could be granted. The court thus certifies that plaintiff's appeal is not taken in good	
5	faith.	
6	Accordingly, IT IS HEREBY ORDERED that:	
7	1. Plaintiff's motion to proceed in forma pauperis on appeal (ECF No. 44) is denied.	
8	2. The Clerk of Court is directed to serve a copy of this order on plaintiff and on the	
9	Ninth Circuit Court of Appeals.	
10	IT IS SO ORDERED.	
11	Dated: June 16, 2014	
12	Ferdall D. Newman	
13	KENDALL J. NEWMAN UNITED STATES MAGISTRATE JUDGE	
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