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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AMIA BRYANT,

Plaintiff,

v.

NATIONAL SECURITY INDUSTRIES,

Defendant.

No. 2:14-cv-01331-GEB-CKD

ORDER

On October 15, 2014, Plaintiff filed a notice of appeal. (ECF No. 12.) The appeal has since been processed to the Ninth Circuit Court of Appeals. (ECF No. 14.) Pending before this Court is the Ninth Circuit Court's referral notice, issued October 21, 2014, for a determination whether in forma pauperis status should continue for the appeal. (ECF 16.)

Under the Federal Rules of Appellate Procedure,

[a] party who was permitted to proceed in forma pauperis in the district-court action . . . may proceed on appeal in forma pauperis without further authorization unless . . . the district court . . . certifies that the appeal is not taken in good faith or finds that the party is not otherwise entitled to proceed in forma pauperis

Fed. R. App. P. 24(a) (3) (A).

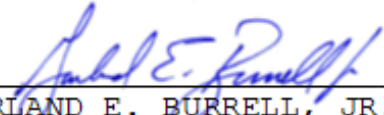
A review of the record demonstrates that Plaintiff's appeal is frivolous and therefore not taken in good faith. See e.g., Ellis v. United States, 356 U.S. 674, 674 (1958) ("[T]he

1 applicant's good faith is established by the presentation of any
2 issue that is not plainly frivolous.").

3 Therefore, Plaintiff's request to continue to proceed
4 in forma pauperis on appeal is denied. See Fed. R. App. P.
5 24(a)(3)(A). The Clerk of the Court is directed to serve the
6 United States Court of Appeals for the Ninth Circuit with a copy
7 of this order.

8 Dated: November 5, 2014

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GARIAND E. BURRELL, JR.
Senior United States District Judge