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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TANYA GRACE MCDANIEL,  
Plaintiff,  
v.  
UNITED STATES, et al.,  
Defendants.

No. 2:15-cv-01113-TLN-AC

ORDER

On August 18, 2015, this Court dismissed Plaintiff Tanya McDaniel’s (“Plaintiff”) lawsuit with prejudice, and entered judgment. (ECF Nos. 5, 6.) Plaintiff filed a notice of appeal, (ECF No. 7), and the Ninth Circuit has referred the matter back to this court “for the limited purpose of determining whether in forma pauperis status should continue for this appeal or whether the appeal is frivolous or taken in bad faith.” (ECF No. 9 (citing 28 U.S.C. § 1915(a)(3) and Hooker v. American Airlines, 302 F.3d 1091, 1092 (9th Cir. 2002) (revocation of forma pauperis status is appropriate where district court finds the appeal to be frivolous)).)

Plaintiff’s complaint alleges that she is the victim of a vast conspiracy between a plethora of celebrities and politicians who have formed a group called “the Illuminati.” (ECF No. 1 at 2–5.) Plaintiff alleges that this group has engaged in a systemic campaign to humiliate, mock, and discredit her for reasons she does not understand. (ECF No. 1 at 4–5.) This campaign has, at times, taken the form of coded insults conveyed through witchcraft, news broadcasts, and music

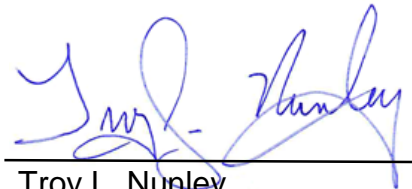
1 lyrics by popular artists including Beyonce and Taylor Swift. (ECF No. 1 at 7, 8, 13.) Plaintiff  
2 alleges these insults have caused her tremendous emotional distress. (ECF No. 1 at 15.) Plaintiff  
3 also alleges that she is related to a number of individuals involved in the conspiracy, including  
4 President Barack Obama, Halle Berry, and Aretha Franklin. (ECF No. 1 at 14.)

5 On August 18, 2015, this Court held that these facts were so incredible they need not be  
6 accepted as true, dismissing her complaint with prejudice because leave to amend would have  
7 been futile. (ECF Nos. 4, 5.) This Court is aware of no good-faith, non-frivolous basis for an  
8 appeal of this ruling; the facts alleged do not state a claim as they rise to the level of the irrational  
9 and wholly incredible.

10 Accordingly, pursuant to 28 U.S.C. § 1915(a)(3) and Fed. R. App. P. 24(a)(3)(A), the  
11 Court certifies that plaintiff's appeal is frivolous.

12 IT IS SO ORDERED.

13 Dated: October 1, 2015



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Troy L. Nunley  
United States District Judge