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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	GLEN EARL VIVIAN,	No. 2:16-cv-227-KJN
12	Plaintiff,	
13	v.	<u>ORDER</u>
14	COMMISSIONER OF SOCIAL SECURITY,	
15	SECONTT,	
16	Defendant.	
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18	On April 17, 2017, the court affirmed the final decision of the Commissioner of Social	
19	Security denying plaintiff disability benefits and entered final judgment. (ECF Nos. 21, 22.) On	
20	June 15, 2017, plaintiff filed a notice of appeal. (ECF No. 23.) Thereafter, on June 17, 2017,	
21	plaintiff also filed a motion to proceed in forma pauperis on appeal. (ECF No. 25.)	
22	Federal Rule of Appellate Procedure 24 provides that "a party to a district-court action	
23	who desires to appeal in forma pauperis must file a motion in the district court." Fed. R. App. P.	
24	24(a)(1). Pursuant to 28 U.S.C. § 1915(a)(3), "[a]n appeal may not be taken in forma pauperis if	
25	the trial court certifies in writing that it is not taken in good faith." The good faith standard is an	
26	objective one. Coppedge v. United States, 369 U.S. 438, 445 (1962). A plaintiff satisfies the	
27	"good faith" requirement if he or she seeks review of any issue that is "not frivolous." Gardner v.	
28	Pogue, 558 F.2d 548, 551 (9th Cir. 1977) (quoting Coppedge, 369 U.S. at 445).	
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1	Although plaintiff was previously denied in forma pauperis status in the district court, his
2	recent motion to proceed in forma pauperis on appeal suggests that he presently has lower income
3	than previously. Additionally, the court cannot find that the appeal is frivolous or not taken in
4	good faith.
5	Accordingly, IT IS HEREBY ORDERED that:
6	1. Plaintiff's motion to proceed in forma pauperis on appeal (ECF No. 25) is GRANTED.
7	2. The Clerk of Court is directed to serve a copy of this order on plaintiff and on the
8	Ninth Circuit Court of Appeals.
9	IT IS SO ORDERED.
10	Dated: June 20, 2017
11	Ferdell & Newman
12	KENDALL J. NEWMAN UNITED STATES MAGISTRATE JUDGE
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