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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DAVID W. WILSON,

Plaintiff,

v.

MICHAEL C. SMITH, et al.,

Defendants.

No. 2:16-cv-01547-MCE-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to the undersigned by the Ninth Circuit Court of Appeals, see ECF No. 50, to certify whether in forma pauperis status should continue on appeal or whether the appeal is frivolous or taken in bad faith, in which case in forma pauperis status would be revoked, see 28 U.S.C. § 1915(a)(3); see also Hooker v. American Airlines, 302 F.3d 1091, 1092 (9th Cir. 2002). Having reviewed the entire file, the Court concludes in forma pauperis status should be revoked because Plaintiff’s appeal from the Court’s dismissal for failure to pay the filing fees for this case is frivolous.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's in forma pauperis status should be revoked; and
2. The Clerk of the Court is directed to serve a copy of this order on the Pro Se Unit at the Ninth Circuit Court of Appeals.

IT IS SO ORDERED.

Dated: March 23, 2021



MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE