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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

IVAN VALDEZ PEREZ,
Plaintiff,
v.
STATE OF CALIFORNIA, COURT OF
APPEAL,
Defendants.

No. 2:17-cv-0221 KJN P

ORDER

Plaintiff, a former juvenile detained in the California Youth Authority, is proceeding pro se. Plaintiff consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). Judgment was entered in this action on May 4, 2017. On June 27, 2017, plaintiff filed a notice of appeal. (ECF No. 18.) On July 14, 2017, the Ninth Circuit Court of Appeals referred this matter 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.

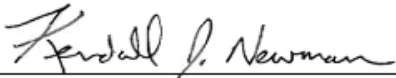
Pursuant to 28 U.S.C. § 1915(a)(3), “[a]n appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith.” The good faith standard is an objective one, and good faith is demonstrated when an individual “seeks appellate review of any issue not frivolous.” See Coppedge v. United States, 369 U.S. 438, 445 (1962).

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1 For purposes of 28 U.S.C. § 1915, an appeal is frivolous if it lacks any arguable basis in law or
2 fact. Neitzke v. Williams, 490 U.S. 319, 325, 109 S. Ct. 1827 (1989).

3 After review of the record herein, the court finds that plaintiff's appeal is not taken in
4 good faith. Accordingly, IT IS HEREBY ORDERED that plaintiff's in forma pauperis status
5 (ECF No. 11) is revoked.

6 Dated: July 17, 2017

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9 KENDALL J. NEWMAN
10 UNITED STATES MAGISTRATE JUDGE

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