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

DENNIS GARDNER,
Plaintiff,
v.
THOMAS BARRETT, et al.,
Defendants.

No. 2:17-CV-0925-GEB-CMK-P

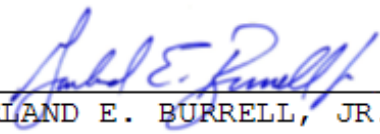
ORDER

Plaintiff, a prisoner proceeding pro se, appeals the court's final judgment entered on October 20, 2017. The matter was referred to the undersigned by the Ninth Circuit Court of Appeals to certify whether the appeal is frivolous or taken in bad faith. See 28 U.S.C. § 1915(a)(3). Having reviewed the entire file, the court concludes that the appeal is frivolous for the reasons outlined in the court's June 23, 2017, findings and recommendations.

The Clerk of the Court is directed to serve of copy of this on the Pro Se Unit at the Ninth Circuit Court of Appeals.

IT IS SO ORDERED.

Dated: November 30, 2017



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