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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES B. PORTER,

Plaintiff,

v.

GREGORY ENT,

Defendant.

No. 11-01763-EDL

**ORDER REVOKING IN FORMA PAUPERIS
STATUS**

This Court granted Plaintiff's application to proceed in forma pauperis on April 26, 2011. Thereafter, Plaintiff filed an Amended Complaint, which was dismissed with prejudice based on the statute of limitations and because some of the claims were improperly brought against a private citizen. See Dkt. # 28. Plaintiff filed a "Notice of Intent to Appeal" on October 5, in which he referenced three prior cases adjudicated against him in this district between 1999 and 2002, some or all of which apparently involved the same parties and issues, and does not explain how the Court erred in likewise dismissing this action. See Dkt. # 29.

On October 7, the Ninth Circuit issued a Referral Notice to this Court to determine "whether in forma pauperis status should continue for this appeal or whether the appeal is frivolous or taken in bad faith." The Court determines that the appeal is frivolous and hereby REVOKES Plaintiff's in forma pauperis status. See 28 U.S.C. § 1915(a)(3); Hooker v. American Airlines, 302 F.3d 1091 (9th Cir. 2002).

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The Clerk of Court is Ordered to notify the Ninth Circuit and the parties of the Court's decision.

IT IS SO ORDERED.

Date: October 12, 2011

Elizabeth D. Laporte
ELIZABETH D. LAPORTE
United States Magistrate Judge