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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL ANTHONY LOCKHART,

No. C 13-3742 WHA (PR)

Plaintiff,

**ORDER DENYING LEAVE TO
PROCEED IN FORMA PAUPERIS
ON APPEAL**

v.

EDMUND G. BROWN,

Defendants.

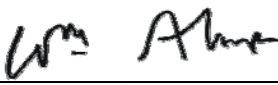
(Dkt. 8)

Plaintiff, a California prisoner, filed this pro se civil rights action pursuant to 42 U.S.C. 1983. Pursuant to the referral notice from the United States Court of Appeals for the Ninth Circuit, the Court finds that the appeal is frivolous and therefore leave to proceed in forma pauperis on appeal is **DENIED**. See 28 U.S.C. § 1915(a)(3); *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002).

The Clerk shall transmit a copy of this order to the Court of Appeals.

IT IS SO ORDERED.

Dated: October 21, 2013.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California