

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 CEDRIC CHESTER JOHNSON,
5 Plaintiff,

6 v.

7 CTF SOLEDAD STATE PRISON, et al.,
8 Defendants.

Case No. 16-cv-05548-MEJ (PR)

**ORDER REVOKING IN FORMA
PAUPERIS STATUS**

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10 This closed federal civil rights action is on appeal. The Court of Appeals has referred the
11 matter to this Court for a determination whether plaintiff's in forma pauperis ("IFP") status should
12 continue for this appeal. This Court determines that it should not. There are no valid grounds on
13 which an appeal can be based. Consequently, the Court certifies that any appeal taken from the
14 order of dismissal and judgment of this action will not be taken in good faith and is therefore
15 frivolous. Fed. R. App. P. ("FRAP") 24(a)(3)(A); Ellis v. United States, 356 U.S. 674, 674-75
16 (1958); Hooker v. American Airlines, 302 F.3d 1091, 1092 (9th Cir. 2002). Accordingly,
17 plaintiff's IFP status is hereby REVOKED. The Clerk shall forthwith notify plaintiff and the
18 Court of Appeals of this order. See FRAP 24(a)(4). Plaintiff may file a motion for leave to
19 proceed IFP on appeal in the Court of Appeals within thirty days after service of notice of this
20 order. See FRAP 24(a)(5). Any such motion "must include a copy of the affidavit filed in the
21 district court and the district court's statement of reasons for its action." Id.

22 **IT IS SO ORDERED.**

23 Dated: October 24, 2017

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27 MARIA-ELENA JAMES
28 United States Magistrate Judge