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

JEREMIAH W. BALIK,

Plaintiff,

No. C 17-00455 WHA

v.

CHOCOLATE SHOPPE ICE CREAM CO.,
INC., *et al.*,

Defendants.

**ORDER DENYING
PLAINTIFF'S THIRD
MOTION TO PROCEED IN
FORMA PAUPERIS**

An order adopted the report and recommendation of Judge Maria-Elena James, denying plaintiff's request to proceed in forma pauperis. A subsequent order denied plaintiff's motion for reconsideration. Plaintiff failed to pay the filing fee, and the action was dismissed.

Plaintiff has now filed a new motion, captioned as "Motion — IFP Hearing," which, to the extent comprehensible, seeks to present oral argument on his request to proceed in forma pauperis, which request has already twice been denied. This request and the subsequent dismissal of the action are the subject of plaintiff's appeal to the Ninth Circuit. Plaintiff's request for a hearing is **DENIED**.

To the extent plaintiff seeks leave to proceed in forma pauperis on appeal, that request is also **DENIED** inasmuch as the appeal is not brought in good faith.

IT IS SO ORDERED.

Dated: March 27, 2017.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE