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

JEFFREY ALAN DICKSTEIN,  
Plaintiff,  
v.  
JAMES P. FOX, et al.,  
Defendants.

Case No. [17-cv-02469-MMC](#)  
(Ninth Circuit No. 17-16241)

**ORDER REVOKING IN FORMA  
PAUPERIS STATUS; DIRECTIONS TO  
CLERK**

Before the Court is a Referral Notice issued to this Court by the United States Court of Appeals for the Ninth Circuit, referring the instant matter to the undersigned for the limited purpose of determining whether plaintiff-appellant Jeffrey Alan Dickstein's in forma pauperis status should continue or be revoked.<sup>1</sup> Having reviewed the file and considered the matter, the Court rules as follows.

Under § 1915, "[a]n appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith." See 28 U.S.C. § 1915(a)(3). "Good faith," for purposes of § 1915, is "judged by an objective standard," and is demonstrated where an appellant seeks review of "any issue not frivolous." See Copperedge v. United States, 369 U.S. 438, 445 (1962). An action is frivolous if it lacks "arguable substance in law and fact." See Franklin v. Murphy, 745 F.2d 1221, 1227 (9th Cir. 1984).

By order filed June 15, 2017, the Court dismissed the above-titled action pursuant to 28 U.S.C. § 1915(e)(2)(B). As explained therein, plaintiff's claims challenge determinations made by the California Supreme Court in the course of attorney

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<sup>1</sup>Plaintiff's application to proceed in forma pauperis was granted on May 3, 2017.

1 disciplinary proceedings brought against him. As further explained in the Court's order,  
2 under settled law, district courts lack jurisdiction to review decisions of state courts,  
3 including decisions by state courts imposing discipline on attorneys. In short, plaintiff's  
4 claims lack arguable substance and, consequently, are frivolous.


5 Accordingly, plaintiff's in forma pauperis status is hereby REVOKED.

6 The Clerk of Court is DIRECTED to serve a copy of this order on the United States  
7 Court of Appeals for the Ninth Circuit.

8 **IT IS SO ORDERED.**

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10 Dated: June 20, 2017

  
MAXINE M. CHESNEY  
United States District Judge

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