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

TATYANA EVGENIEVNA DREVALEVA,

No. C 18-03748 WHA

Plaintiff,

v.

**ORDER REVOKING *IN*
FORMA PAUPERIS STATUS
ON APPEAL**

U.S. DEPARTMENT OF VETERANS
AFFAIRS, *et al.*,

Defendants.

An order dated November 19 denied *pro se* plaintiff's request for appointment of counsel under *Bradshaw v. Zoological Soc'y of San Diego*, 662 F.2d 1301, 1318 (9th Cir. 1981), for failure to produce evidence of her efforts to secure counsel (Dkt. No. 57). Plaintiff subsequently appealed that denial (Dkt. No. 58).

Now, our court of appeals has referred plaintiff's appeal to the district court to determine whether plaintiff's *in forma pauperis* status should continue on appeal. In *Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002), our court of appeals held that revocation of *in forma pauperis* status is appropriate where the district court finds the appeal to be frivolous.

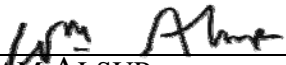
Here, instead of moving for leave for reconsideration or making any kind of attempt to produce evidence before the Court of her efforts to secure counsel, plaintiff immediately appealed the denial of appointment of counsel. Without such evidence of plaintiff's efforts to secure counsel, plaintiff is not entitled to appointment of counsel. And, although plaintiff is proceeding *pro se*, she is readily capable of supplementing to the Court any noted deficiencies

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in her requests (*see* Dkt. No. 53). Accordingly, this order finds plaintiff's present appeal to be frivolous and hereby **REVOKES** plaintiff's *in forma pauperis* status. This revocation is without prejudice to any subsequent appeals made by plaintiff. The Clerk shall please notify the United States Court of Appeals for the Ninth Circuit of this order.

IT IS SO ORDERED.

Dated: November 26, 2018.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE