UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

ARMANDO ANTIONIO MARROQUIN,	Case No: C 09-0713 SBA (pr)
Plaintiff,	**ORDER**
vs.	Docket No. 19
R. BOWMAN, M.D., et al.,	
Defendants.	

On September 1, 2012, this Court entered an Order dismissing the action without prejudice, inter alia, for failure to exhaust administrative remedies. (Dkt. 13.) On September 28, 2012, the Court entered an Order denying Plaintiff's motion to set aside judgment and for reconsideration. (Dkt. 13, 16).

On October 22, 2012, Plaintiff filed a notice of appeal. The Ninth Circuit has issued a Referral Notice requesting this Court to determine whether Plaintiff's in forma pauperis status should continue on appeal. (Dkt. 19.) Having reviewed the record in this matter, the Court hereby certifies that, under 28 U.S.C. § 1915(a)(3), the appeal is not taken in good faith and Plaintiff's in forma pauperis status is revoked for the purposes of his appeal.

IT IS SO ORDERED.

Dated: November 5, 2012

SAUNDRA BROWN ARMSTRONG
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ARMANDO ANTONIO MARROQUIN,

         Plaintiff,

  v.

MD BOWMAN et al,

         Defendant.

_____/

Case Number: CV09-00713 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 8, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Armando Antonio Marroquin T-86698
La Palma Correctional Center, MA
5501 N. La Palma Road
Eloy, AZ 85131

Dated: November 8, 2012

                  Richard W. Wieking, Clerk

                       By: Lisa Clark, Deputy Clerk

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