

1 Plaintiff's motion to proceed in forma pauperis on appeal (Docket No. 36) is
2 DENIED. The appeal is frivolous and not taken in good faith. See 28 U.S.C. §
3 1915(a)(3).

4 **IT IS SO ORDERED.**

5 DATED: 11/4/08


6 JEREMY FOGEL
United States District Judge

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