



**United States District Court**  
**SOUTHERN DISTRICT OF CALIFORNIA**

Larry White

**Civil Action No.** 18-cv-00877-CAB-PCL

**Plaintiff,**

**v.**

W.L. Montgomery, Warden

**JUDGMENT IN A CIVIL CASE**

**Defendant.**

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS HEREBY ORDERED AND ADJUDGED:

Denies Plaintiff's Motion to Proceed IFP (ECF No. 2) as barred by 28 U.S.C. § 1915(g); Dismisses this civil action without prejudice based on Plaintiff's failure to pay the full statutory and administrative \$400 civil filing fee required by 28 U.S.C. § 1914(a); Certifies that an IFP appeal from this Order would be frivolous and therefore, would not be taken in good faith pursuant to 28 U.S.C. § 1915(a)(3). See *Coppedge v. United States*, 369 U.S. 438, 445 (1962); *Gardner v. Pogue*, 558 F.2d 548, 550 (9th Cir. 1977) (indigent appellant is permitted to proceed IFP on appeal only if appeal would not be frivolous); and Directs the Clerk of Court to close the file. It Is So Ordered.

**Date:** 6/15/18

**CLERK OF COURT**

**JOHN MORRILL, Clerk of Court**

By: s/ J. Gutierrez

J. Gutierrez, Deputy