

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

MIKE MURPHY,

Plaintiff,

v.

L. LAMONT ANDERSON, et al.,

Defendants.

District Case No. 1:11-CV-453-BLW

Ninth Circuit Case No. 15-35616

ORDER

The Ninth Circuit referred this case to this Court for the limited purpose of determining whether in forma pauperis status should continue for this appeal or whether the appeal is frivolous or taken in bad faith. *See* 28 U.S.C. § 1915(a)(3); *see also Hooker v. American Airlines*, 302 F.3d 1091, 1092 (9th Cir. 2002) (revocation of forma pauperis status is appropriate where district court finds the appeal to be frivolous). The Court finds that the appeal is not frivolous and thus the in forma pauperis status should continue. Accordingly,

NOW THEREFORE IT IS HEREBY ORDERED, that in answer to the Ninth Circuit's Referral Notice (docket no. 38), the appeal is not frivolous and the in forma pauperis status should continue.



DATED: August 25, 2015

A handwritten signature in black ink that reads "B. Lynn Winmill".

B. Lynn Winmill
Chief Judge
United States District Court