

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHN C. PETERSON, an individual,)
)
Plaintiff,)
vs.)
CENTERPOINT ENERGY INC., et al,)
)
Defendants.)

Case No. 2:13-cv-00766-GMN-GWF

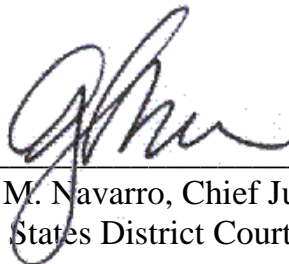
ORDER

On October 20, 2014, the Court dismissed Plaintiff’s Second Amended Complaint (ECF No. 15) with prejudice. (Order, ECF No. 19). On November 3, 2014, Plaintiff filed a Notice of Appeal. (ECF No. 21). Then on November 12, 2014, the Ninth Circuit entered a Referral Notice, referring this matter back to this Court for the purpose of determining whether the appeal is frivolous and whether in forma pauperis status should be revoked. (Referral Notice, Dkt. # 2); 28 U.S.C. § 1915(a)(3) (“An appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith.”).

In dismissing the Second Amended Complaint, the Court noted that this complaint—like the previous two complaints—was incoherent and failed to contain any ascertainable claims. (Order 3:4-4:15, ECF No. 19.) Accordingly, an appeal of the complaint’s dismissal is frivolous and in bad faith. See *Wilcox v. C.I.R.*, 848 F.2d 1007, 1009 (9th Cir. 1988) (“An appeal is frivolous if the result is obvious, or the arguments of error are wholly without merit.”).

IT IS HEREBY ORDERED that Plaintiff’s appeal is frivolous and not in good faith. Therefore, Plaintiff’s in forma pauperis status is revoked.

DATED this 13th day of November, 2014.



Gloria M. Navarro, Chief Judge
United States District Court