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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BRIAN KAMEDULA,	)	
	)	
Plaintiff,	)	3:10-cv-00749-ECR-VPC
	)	
vs.	)	
TODD DIXON, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	/	

This is a prisoner action brought pursuant to 42 U.S.C. § 1983. On May 24, 2011, this court dismissed this action for failure to state a claim for which relief may be granted (docket #19), and judgment was entered (docket #20). Plaintiff filed a notice of appeal on May 31, 2011 (docket #6).

On June 7, 2011, the Ninth Circuit Court of Appeals referred this matter to this court for the limited purpose of determining whether *in forma pauperis* status should continue for the appeal or whether the appeal is frivolous or taken in bad faith (docket #24). Accordingly, this court certifies that any *in forma pauperis* appeal from its Order 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 *in forma pauperis* on appeal only if appeal would not be frivolous).

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**IT IS THEREFORE ORDERED** that this court **CERTIFIES** that any *in forma pauperis* appeal from its Order dated May 24, 2011 (docket #19) would not be taken “in good faith” pursuant to 28 U.S.C. § 1915(a)(3).

DATED this 8<sup>th</sup> day of June 2011.

  
UNITED STATES DISTRICT JUDGE