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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSEPH ANTONETTI,
Plaintiff,

v.

S.L. FOSTER et al.,
Defendants.

Case No. 3:14-cv-00495-JAD-VPC

Order

On October 22, 2015, this court dismissed this case without prejudice due to plaintiff's failure to file a second amended complaint as directed by this court's previous order. (ECF 21 at 5). The court certified that any *in forma pauperis* appeal from that order would be taken in good faith as contemplated by 28 U.S.C. § 1915(a)(3). (*Id.*).

On November 3, 2015, plaintiff filed a notice of appeal. (ECF 23). On November 4, 2015, the Ninth Circuit issued an order referring the matter back to this court for the limited purpose of determining whether *in forma pauperis* status should continue on appeal or whether the appeal is frivolous or taken in bad faith. (ECF 25 at 1).

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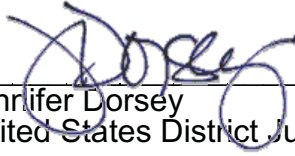
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This court reaffirms that plaintiff's *in forma pauperis* status should continue on appeal.

Dated: November 17, 2015.



Jennifer Dorsey
United States District Judge