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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

BRIAN KERRY O'KEEFE,

Petitioner,

v.

ROBERT LEGRAND, *et al.*,

Respondents.

Case No. 3:16-cv-00430-MMD-VPC

ORDER

Petitioner has filed a notice of appeal from the Court's denial of his motion for reconsideration, and he has filed an application to proceed *in forma pauperis* (ECF No. 48). The appeal is not taken in good faith. 28 U.S.C. § 1915(a)(3). The Court did not dismiss this action. The Court did transfer this action to the appropriate court in Ohio. The court of appeals dismissed an earlier appeal because the transfer meant that this Court, and the court of appeals, no longer had jurisdiction. Nothing in the motion for reconsideration changed these conclusions. Petitioner simply is trying to litigate an action that no longer is before this Court.

It is therefore ordered that the application to proceed *in forma pauperis* (ECF No. 48) is denied.

DATED THIS 14<sup>th</sup> day of February 2018.



MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE