

**FILED**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

APR 25 2018

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

JAMES L. MILLER,

Plaintiff-Appellant,

v.

AMIR KASHANI, Dr.; et al.,

Defendants-Appellees.

No. 17-56567

D.C. No.

2:12-cv-05649-CAS-AN

Central District of California,  
Los Angeles

ORDER

Before: GOULD, TALLMAN, and MURGUIA, Circuit Judges.

Upon a review of the record, the response to the order to show cause, and the opening brief received on December 29, 2017, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. 3), *see* 28 U.S.C. § 1915(a), and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

**DISMISSED.**

**Additional material  
from this filing is  
available in the  
Clerk's Office.**