

FILED

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MAR 15 2018

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

JOHN PRIESTLEY, Jr.,

Plaintiff-Appellant,

v.

TWO HOUSES, in Buckeye, Maricopa  
County, AZ; et al.,

Defendants-Appellees.

No. 17-16133

D.C. No. 2:16-cv-04126-DGC  
District of Arizona, Phoenix

ORDER

Before: LEAVY, M. SMITH, and CHRISTEN, Circuit Judges.

The district court certified that this appeal is not taken in good faith and revoked appellant's in forma pauperis status. *See* 28 U.S.C. § 1915(a). On June 9, 2017, the court ordered appellant to explain in writing why this appeal should not be dismissed as frivolous. *See* 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious).

Upon a review of the record and the response to the court's June 9, 2017 order, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. 5) and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2).

**DISMISSED.**

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The mandate is recalled for the limited purpose of considering the motion for reconsideration.

Priestley's motion for reconsideration (Docket Entry No. 9) is denied. *See* 9th Cir. R. 27-10.

Priestley's emergency motion for injunctive relief (Docket Entry No. 10) is denied.

The mandate shall reissue forthwith.

No further filings will be entertained in this closed case.

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