

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

JUL 31 2019

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

KEENAN G. WILKINS, AKA Nerrah  
Brown,

Plaintiff-Appellant,

v.

J. GALVIN, Supervisor Mailroom; et al.,

Defendants-Appellees,

and

JEFF MACOMBER, Warden; et al.,

Defendants.

No. 19-15368

D.C. No.  
2:16-cv-02629-JAM-DB  
Eastern District of California,  
Sacramento

ORDER

Before: SCHROEDER, CANBY, and CHRISTEN, Circuit Judges.

Appellees' motion to take judicial notice (Docket Entry No. 5) is granted.

*See Bias v. Moynihan*, 508 F.3d 1212, 1225 (9th Cir. 2007) ("[W]e may take notice of proceedings in other courts, both within and without the federal judicial system, if those proceedings have a direct relation to matters at issue." (quoting *Bennett v. Medtronic, Inc.*, 285 F.3d 801, 803 n.2 (9th Cir. 2002))).

We have reviewed the responses to the court's April 9, 2019 order. We conclude this appeal is frivolous because, in revoking appellant's in forma pauperis status, the district court correctly concluded that appellant has had three or more

prior actions or appeals dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted and has not alleged imminent danger of serious physical injury. *See* 28 U.S.C. § 1915(g). 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.**

Appendix B  
~~EXHIBIT B~~ COVER PAGE:  
Exhibit: B

Description of this exhibit:

Appeal No 12-16170 Strike

Number of pages of this exhibit: 8 pages

JURISDICTION: (Check only one)

Municipal Court

Superior Court

Appellate Court

State Supreme Court

United States District Court

United States Circuit Court

United States Supreme Court

California Department of Corrections, 602 Exhibit.

Other: \_\_\_\_\_

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

**JUDGMENT IN A CIVIL CASE**

**NERRAH BROWN,**

**CASE NO: 2:16-CV-02629-JAM-DB**

**v.**

**J. GALVIN, ET AL.,**

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**XX — Decision by the Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**

**THAT JUDGMENT IS HEREBY ENTERED IN ACCORDANCE WITH THE  
COURT'S ORDER FILED ON 2/7/19**

**Marianne Matherly**  
Clerk of Court

**ENTERED: February 7, 2019**

by: /s/ A. Kastilahn

Deputy Clerk

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

NERRAH BROWN, A.K.A. KEENAN  
WILKINS,

No. 2:16-cv-2629 JAM DB P

Plaintiff,

## ORDER

V.

J. GALVIN, et al.,

### Defendants.

By an order issued December 11, 2018, plaintiff's in forma pauperis status was revoked pursuant to 28 U.S.C. § 1915(g), and he was ordered to pay the filing fee within thirty days in order to continue to proceed with this action. (See ECF No. 25 at 2). At that time, plaintiff was cautioned that failure to do so would result in the sua sponte dismissal of this action. The thirty-day period has now expired, and plaintiff has not responded to the court's order, nor has he paid the filing fee.

In accordance with the above, IT IS HEREBY ORDERED that this action be dismissed without prejudice.

DATED: February 7, 2019

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE

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