

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

APR 13 2020

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

JAMES L. MILLER,

No. 19-56385

Plaintiff-Appellant,

D.C. No. 2:19-cv-08909-PSG-JPR
Central District of California,
Los Angeles

v.

VIRGINIA A. PHILLIPS, individual and
official capacity; DOES,

ORDER

Defendants-Appellees.

Before: TASHIMA, BYBEE, and WATFORD, Circuit Judges.

The district court certified that this appeal is not taken in good faith and has denied appellant leave to proceed on appeal in forma pauperis. *See* 28 U.S.C. § 1915(a). On December 3, 2019, 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 responses to the court's December 3, 2019 order, we conclude this appeal is frivolous. We therefore deny appellant's motions to proceed in forma pauperis (Docket Entry Nos. 3 and 5) and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2).

DISMISSED.

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