

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 31 2024

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

FESTUS O. OHAN,

Plaintiff - Appellant,

v.

CHIMEZIE C. DURUHEISIE, et al.,

Defendants - Appellees.

No. 23-2769

D.C. No. 3:23-cv-00176-SLG

District of Alaska,

Anchorage

ORDER

Before: FRIEDLAND, BENNETT, and SANCHEZ, 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 November 1, 2023, this 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, the response to the court's order to show cause, and the opening brief received on October 31, 2023, we conclude that this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry Nos. 3, 8) and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2).

All other pending motions are denied as moot.

No further filings will be entertained in this closed case.

DISMISSED.