

FILED

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

MAR 14 2008

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

FILED  
MAR 17 2008 12:40  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DARRYL LAMAR TOLLIVER,  
  
Plaintiff - Appellant,  
  
v.  
  
M. THORTON; et al.,  
  
Defendants - Appellees.

No. 07-17315

D.C. No. CV-07-03921-VRW  
Northern District of California,  
San Francisco

ORDER

Before: T.G. NELSON and TASHIMA, Circuit Judges.

The district court has certified that this appeal is not taken in good faith, and so has revoked appellant's in forma pauperis status. Our review of the record confirms that appellant is not entitled to in forma pauperis status for this appeal.

*See* 28 U.S.C. § 1915(a).

Accordingly, within 21 days after the date of this order, appellant shall pay \$455.00 to the district court as the docketing and filing fees for this appeal and file proof of payment with this court. Failure to pay the fees will result in the automatic dismissal of the appeal by the Clerk for failure to prosecute, regardless of further filings. *See* 9th Cir. R. 42-1.

DT/MOATT