

FILED

UNITED STATES COURT OF APPEALS

SEP 07 2012

FOR THE NINTH CIRCUIT

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

JOHN THOMAS ENTLER,

Plaintiff - Appellant,

v.

JOHN DOE,

Defendant - Appellee.

No. 12-35459

D.C. No. 2:12-cv-05003-RMP
Eastern District of Washington,
Spokane

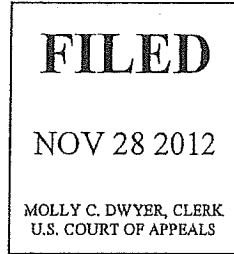
ORDER

Before: REINHARDT and WARDLAW, Circuit Judges.

The district court has certified that this appeal is not taken in good faith and has revoked appellant's in forma pauperis status. We deny appellant's motion to proceed in forma pauperis because we also find the appeal is frivolous. *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.

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U.S. District Court for Eastern
Washington, Spokane

ORDER

A review of the file in this case reveals that the appellant has failed to perfect the appeal as prescribed by the Federal Rules of Appellate Procedure.

Pursuant to Ninth Circuit Rule 42-1, this appeal is dismissed for failure to pay the docketing/filing fees in this case.

This order served on the district court shall constitute the mandate of this court.

FOR THE COURT:
Molly C. Dwyer
Clerk of Court

Tina S. Price
Deputy Clerk