

FILED

MAY 17 2005

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

05-55231
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

PIERRE GENEVIER,

Plaintiff - Appellant,

v.

DEPARTMENT OF HOMELAND
SECURITY,

Defendant - Appellee.

No. 05-55231

D.C. No. CV-04-07787-RGK
Central California (Los Angeles)

ORDER

Before: PREGERSON and CANBY, 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 of the filing date of this order, appellant shall pay \$255.00 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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No motions for reconsideration, clarification, or modification of the denial of appellant's in forma pauperis status shall be filed or entertained.

Appellant's motion for a preliminary injunction is denied.

Appellant's motion to expedite this appeal is denied.

Appellee's motion for summary disposition is held in abeyance pending appellant's payment of the filing and docketing fees for this appeal.

Briefing is suspended pending further order of the court.

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