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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>KIRELL FRANCIS TAYLOR,</p> <p>Plaintiff - Appellant,</p> <p>v.</p> <p>CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION; et al.,</p> <p>Defendants - Appellees.</p>
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Nos. 14-16856, 15-15787

D.C. No. 1:13-cv-01558-AWI-  
DLB

MEMORANDUM\*

Appeals from the United States District Court  
for the Eastern District of California  
Anthony W. Ishii, District Judge, Presiding

Submitted November 18, 2015\*\*

Before: TASHIMA, OWENS, and FRIEDLAND, Circuit Judges.

California state prisoner Kirell Francis Taylor appeals pro se from the district court’s order revoking his in forma pauperis status under 28 U.S.C.

§ 1915(g) in his action alleging federal and state law claims. We have jurisdiction

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously concludes these cases are suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

under 28 U.S.C. § 1291. We review de novo the district court’s interpretation and application of § 1915(g), *Andrews v. Cervantes*, 493 F.3d 1047, 1052 (9th Cir. 2007), and for an abuse of discretion its denial of leave to proceed in forma pauperis, *O’Loughlin v. Doe*, 920 F.2d 614, 616 (9th Cir. 1990). We affirm.

The district court did not abuse its discretion by revoking Taylor’s in forma pauperis status because it properly determined that Taylor has three strikes under § 1915(g), and Taylor failed to allege adequately that the “prison officials *continue* with a practice that has injured him or others similarly situated in the past[.]” *Andrews*, 493 F.3d at 1055-57 (discussing the imminent danger exception to § 1915(g)) (emphasis added).

We do not consider on appeal “[d]ocuments or facts not presented to the district court[.]” *United States v. Elias*, 921 F.2d 870, 874 (9th Cir. 1990).

Taylor’s requests, set forth in his opening briefs, are denied.

**AFFIRMED.**