

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

SEP 4 2026

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

ALLISON BARTON RICE, an individual,

Plaintiff - Appellant,

v.

CITY AND COUNTY OF SAN
FRANCISCO; et al.,

Defendants - Appellees.

No. 26-5308

D.C. No.

3:19-cv-04250-LB

Northern District of California,
San Francisco

ORDER

It appears that this appeal may be frivolous. If the appeal is frivolous, the court will deny permission to proceed in forma pauperis and dismiss the appeal. *See* 28 U.S.C. § 1915(e)(2).

Within 35 days, appellant must:

- (1) file a statement explaining why the appeal is not frivolous, OR
- (2) file a motion to voluntarily dismiss the appeal, *see* Fed. R. App. P. 42(b).

If appellant files a statement explaining why the appeal is not frivolous, or any other response other than a motion to dismiss, the court will determine whether the appeal is frivolous. If it is frivolous, the appeal will be dismissed. If it is not frivolous, the appeal will proceed.

If appellant files a statement that the appeal should go forward, appellees may file a response within 10 days after service of appellant's statement.

Briefing is stayed.

If appellant does not respond to this order, the court may dismiss this appeal without further notice.

The clerk will serve on appellant: (1) a form motion to voluntarily dismiss the appeal, and (2) a form statement that the appeal should go forward.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT