

**General Docket**  
**United States Court of Appeals for the Ninth Circuit**

**Court of Appeals Docket #:** 20-55181  
**Nature of Suit:** 3950 Constitutionality of State Statutes  
Adam Bereki v. Gary Humphreys, et al  
**Appeal From:** U.S. District Court for Central California, Santa Ana  
**Fee Status:** Due

**Docketed:** 02/20/2020  
**Termed:** 11/12/2020

**Case Type Information:**

- 1) civil
- 2) private
- 3) null

**Originating Court Information:**

**District:** 0973-8 : [8:19-cv-02050-CBM-ADS](#)

**Court Reporter:** Sheri S. Kleeger

**Court Reporter:** Alberto V. Ortiz, Court Reporter Supervisor

**Trial Judge:** Consuelo B. Marshall, Senior District Judge

**Date Filed:** 10/28/2019

**Date Order/Judgment:**

02/06/2020

**Date Order/Judgment EOD:**

02/06/2020

**Date NOA Filed:**

02/10/2020

**Date Rec'd COA:**

02/19/2020

**Prior Cases:**

None

**Current Cases:**

None

ADAM BEREKI  
Plaintiff - Appellant,

Adam Bereki  
Direct: 949-241-6693  
[NTC Pro Se]  
818 Spirit  
Costa Mesa, CA 92626

v.

GARY HUMPHREYS  
Defendant - Appellee,

William George Bissell, Esquire  
Direct: 949-719-1159  
[NTC Retained]  
Law Office of William Bissell  
110 Newport Center Drive,  
Suite 200  
Newport Beach, CA 92660

KAREN HUMPHREYS  
Defendant - Appellee,

William George Bissell, Esquire  
Direct: 949-719-1159  
[COR LD NTC Retained]  
(see above)

ADAM BEREKI,

Plaintiff - Appellant,

v.

GARY HUMPHREYS; KAREN HUMPHREYS,

Defendants - Appellees.

02/20/2020	<input type="checkbox"/> <a href="#">1</a> 61 pg, 1.04 MB	DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL AND PRO SE APPELLANT. SEND MQ: No. The schedule is set as follows: Transcript ordered by 03/11/2020. Transcript due 04/10/2020. Appellant Adam Bereki opening brief due 05/20/2020. Appellees Gary Humphreys and Karen Humphreys answering brief due 06/19/2020. Appellant's optional reply brief is due 21 days after service of the answering brief. [11603143] (JMR) [Entered: 02/20/2020 11:29 AM]
02/24/2020	<input type="checkbox"/> <a href="#">2</a> 2 pg, 125.3 KB	Filed referral notice (Deputy Clerk:CKP): Referring to the district court for determination whether in forma pauperis status should continue for this appeal. [11606741] (CKP) [Entered: 02/24/2020 01:35 PM]
03/20/2020	<input type="checkbox"/> <a href="#">3</a> 125 pg, 1.71 MB	Filed Appellant Adam Bereki motion to appoint pro bono counsel, motion to proceed In Forma Pauperis. Deficiencies: None. Served on 03/16/2020. [11637287] (QDL) [Entered: 03/20/2020 03:57 PM]
03/24/2020	<input type="checkbox"/> <a href="#">4</a> 6 pg, 159.21 KB	Filed clerk order (Deputy Clerk: JW): A review of the district court's docket reflects that the district court has certified that this appeal is not taken in good faith and has revoked appellant's in forma pauperis status. See 28 U.S.C. § 1915(a). This court may dismiss a case at any time, if the court determines the case is frivolous. See 28 U.S.C. § 1915(e)(2). Within 35 days after the date of this order, appellant must: (1) file a motion to dismiss this appeal, see Fed. R. App. P. 42(b), or (2) file a statement explaining why the appeal is not frivolous and should go forward. If appellant does not respond to this order, the Clerk will dismiss this appeal for failure to prosecute, without further notice. See 9th Cir. R. 42-1. If appellant files a motion to dismiss the appeal, the Clerk will dismiss this appeal, pursuant to Federal Rule of Appellate Procedure 42(b). If appellant submits any response to this order other than a motion to dismiss the appeal, the court may dismiss this appeal as frivolous, without further notice. 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. The briefing schedule for this appeal is stayed. The Clerk shall serve on appellant: (1) a form motion to voluntarily dismiss the appeal, and (2) a form statement that the appeal should go forward. Appellant may use the enclosed forms for any motion to dismiss the appeal or statement that the appeal should go forward. [11640174] (CKP) [Entered: 03/24/2020 12:28 PM]
03/26/2020	<input type="checkbox"/> <a href="#">5</a> 4 pg, 387.58 KB	Received copy of amended notice of appeal from district court filed on 03/23/2020. [11643228] (QDL) [Entered: 03/26/2020 04:36 PM]
04/27/2020	<input type="checkbox"/> <a href="#">6</a> 3 pg, 437.59 KB	Filed Appellant Adam Bereki response to order to show cause dated 03/24/2020. Served on 04/27/2020. [11672226] (QDL) [Entered: 04/27/2020 09:49 AM]
05/04/2020	<input type="checkbox"/> <a href="#">7</a> 16 pg, 239.95 KB	Filed (ECF) Appellees Gary Humphreys and Karen Humphreys reply to response to order to show cause dated 03/24/2020. Date of service: 04/05/2020. [11679778] [20-55181] --[COURT UPDATE: Updated docket text to reflect correct ECF filing type. 5/4/2020 by TYL] (Bissell, William) [Entered: 05/04/2020 02:21 PM]
06/26/2020	<input type="checkbox"/> <a href="#">8</a> 22 pg, 239.83 KB	Filed Appellant Adam Bereki supplemental response to order to show cause dated 03/24/2020. Served on 06/26/2020. [11734768] (QDL) [Entered: 06/26/2020 10:54 AM]
11/12/2020	<input type="checkbox"/> <a href="#">9</a> 1 pg, 164.29 KB	Filed order (SIDNEY R. THOMAS, A. WALLACE TASHIMA and WILLIAM A. FLETCHER)The district court certified that this appeal is frivolous and revoked appellant's in forma pauperis status. See 28 U.S.C. § 1915(a). On March 24, 2020, this court ordered appellant to explain in writing why this appeal should not be dismissed as frivolous. See 28 U.S.C. § 1915(e)(2) (court shall dismiss case at any time, if court determines it is frivolous or malicious). Upon a review of the record and the responses to the court's March 24, 2020 order, we conclude this appeal is frivolous. We therefore deny appellant's motion to proceed in forma pauperis (Docket Entry No. <a href="#">3</a> ) and dismiss this appeal as frivolous, pursuant to 28 U.S.C. § 1915(e)(2). All other pending motions are denied as moot. DISMISSED. [11890590] (JPD) [Entered: 11/12/2020 01:42 PM]