

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

SEP 17 2019

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

MICHAEL T. BROOKS,

Petitioner,

v.

U.S. Department of Labor, Administrative
Review Board,

Respondent.

No. 19-71240

LABR No. ARB No. 2017-0033
Dept of Labor

ORDER

Before: WARDLAW and HURWITZ, Circuit Judges.

The motion to substitute the U.S. Department of Labor, Administrative Review Board, as the respondent in this petition is granted (Docket Entry No. 9).

Petitioner's motion to proceed in forma pauperis (Docket Entry No. 2) is denied because we find that petitioner is not indigent.

Within 28 days after the date of this order, petitioner shall pay \$500.00 to this court. If petitioner does not comply with this order, the petition will be dismissed by the Clerk for failure to prosecute, regardless of further filings by petitioner. *See* 9th Cir. R. 42-1.

The motion for appointment of counsel (Docket Entry No. 10) is denied. No motions for reconsideration, clarification, or modification of this denial shall be filed or entertained.

The opening brief is due November 1, 2019; the answering brief is due December 2, 2019; and the optional reply brief is due within 21 days after service of the answering brief.