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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Bank of New York Mellon,

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No. CV 11-1433-PHX-GMS (JRI)

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Plaintiff,

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ORDER

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vs.

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Rae Ribadeneira, et al.,

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Defendants.

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Plaintiff Bank of New York Mellon commenced this action for forcible detainer in

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Maricopa County Superior Court on July 30, 2010 against Defendants Rae Ribadeneira and

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Doe occupants I through X, case# CV2010-94820. The address of the real property at issue

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is 10632 East Blue Sky Road, Scottsdale, Arizona 85262 (the Property). On July 19, 2011,

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Christopher Stoller, who is and was an inmate in the Lake County Jail in Waukegan, Illinois,

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removed this case from state court.¹ In an Order filed on August 17, 2011, the Court

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remanded the case to state court. (Doc. 22.) The Court subsequently denied Stoller's

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motions for reconsideration, for the appointment of a guardian ad litem, and for

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¹ Christopher Stoller previously commenced a case in federal court, Stoller v. Bank of New York Mellon, No. CV11-1105-PHX-GMS, concerning the same property and issues. Because he failed to use this District's approved form for incarcerated persons to seek leave to proceed *in forma pauperis*, the Court denied his request in that case with leave to pay the fee or to file the approved form within 30 days. Instead, Stoller filed an interlocutory appeal, which remains pending.

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1 disqualification of the undersigned. (Doc. 27, 28, 29, 30, 32.)

2 Stoller has filed a motion to stay this proceeding pending resolution of his motion to
3 disqualify and a motion for a hearing on the motion to disqualify. (Doc. 33, 34.) Stoller's
4 motions will be denied. This action was remanded to Maricopa County Superior Court on
5 August 17, 2011 and this case closed. The Court has no jurisdiction over that matter in
6 connection with this case.

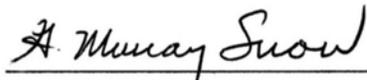
7 **IT IS ORDERED:**

8 (1) Christopher Stoller's motion to stay this proceeding is **denied**. (Doc. 33.)

9 (2) Stoller's motion for hearing is **denied**. (Doc. 34.)

10 (3) The docket shall reflect that the Court certifies, pursuant to 28 U.S.C.
11 § 1915(a)(3) and Federal Rules of Appellate Procedure 24(a)(3)(A), that any appeal of this
12 decision would not be taken in good faith.

13 DATED this 17th day of October, 2011.

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16 _____
17 G. Murray Snow
18 United States District Judge
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