



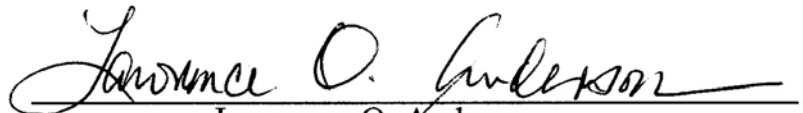
1 case imposed by 11 U.S.C. § 362(a)(1) and her appeal is void as a matter of law. *In re Capgro*  
2 *Leasing Assocs.*, 169 B.R. 305, 310 (Bankr.E.D.N.Y. 1994) (“[t]he automatic stay prevents a  
3 debtor from appealing the decision of a non-bankruptcy forum,” citing, among others, *Delpit*  
4 *v. Commissioner*, 18 F.3d 768 (9th Cir. 1994)). Moreover, this interlocutory appeal is frivolous  
5 because the order Plaintiff has appealed is a non-appealable order. *See* 28 U.S.C. §§ 1291 and  
6 1292.

7 In view of the foregoing,

8 **IT IS HEREBY ORDERED** that the Court certifies that the appeal is  
9 frivolous.

10 **IT IS FURTHER ORDERED** that Plaintiff’s Motion for Leave to Appeal *in*  
11 *forma pauperis*, docket # 76, is **DENIED**.

12 Dated this 9<sup>th</sup> day of February, 2010.

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15 Lawrence O. Anderson  
16 United States Magistrate Judge  
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