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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RODOLFO C. ANDERSON,

Plaintiff,

Case No. 1:07-cv-00715 ALA (P)

vs.

DR. TALISMAN,

ORDER

Defendant.

\_\_\_\_\_ /

On August 6, 2009, the Court granted Defendant’s motion for summary judgment and dismissed Plaintiff Rodolfo C. Anderson’s action brought pursuant to 42 U.S.C. §1983. (Doc. No. 66.) On August 27, 2009, Anderson filed a notice of appeal and request for appointment of counsel on appeal (Doc. No. 68).

Petitioner’s request for appointment of counsel on appeal is best directed to the Ninth Circuit Court of Appeals because after a party appeals to the Ninth Circuit, this court no longer has jurisdiction over the action. *See Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58 (1982) (“The filing of a notice of appeal is an event of jurisdictional significance-it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.”).

Therefore, the Court DENIES without prejudice Plaintiff’s motion for appointment of

1 counsel and directs Plaintiff to renew his motion for appointment of counsel before the Ninth  
2 Circuit Court of Appeals. IT IS SO ORDERED.

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4 DATED: September 1, 2009

5 /s/ Arthur L. Alarcón  
6 UNITED STATES CIRCUIT JUDGE  
7 Sitting by Designation  
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