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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ANTHONY ADDUCCI,

Plaintiff,

v.

KELLY HARRINGTON, et al.,

Defendants.

CASE NO. 1:07-cv-00762-AWI-SMS PC

APPEAL NO. 11-15310

ORDER DIRECTING CLERK OF THE COURT  
TO SERVE MOTIONS ON NINTH CIRCUIT  
FOR RESOLUTION

(Docs. 63 and 64)

This civil rights action was dismissed on January 10, 2011, and Plaintiff filed a notice of appeal on February 7, 2011. On February 22, 2011, Plaintiff filed a motion seeking an extension of time to file an application to proceed in forma pauperis and a motion seeking the appointment of counsel. Plaintiff's motion for an extension of time is responsive to the appellate court's order filed on February 11, 2011, and Plaintiff's request for the appointment of counsel on appeal is directed to the appellate court. However, it appears neither motion was served on the appellate court.

The Clerk of the Court is HEREBY DIRECTED to serve Plaintiff's motions on the Ninth Circuit for consideration and resolution. Plaintiff is informed that motions seeking relief from the appellate court must be filed with the appellate court.

IT IS SO ORDERED.

**Dated: February 24, 2011**

**/s/ Sandra M. Snyder**  
UNITED STATES MAGISTRATE JUDGE