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

10 UNITED STATES OF AMERICA,

CASE NO. CV F 08-1643 LJO SMS

11 Plaintiff,

## **ORDER REGARDING FEES FOR APPEAL**

12 || vs.

13 LOWELL D. WELDON, BESSIE L.  
14 WELDON, MIDLAND MORTGAGE  
15 COMPANY, STATE OF CALIFORNIA  
FRANCHISE TAX BOARD, COUNTY OF  
FRESNO,

## Defendants.

18 This Court granted default judgment in favor of the United States of America and against  
19 defendant Lowell D. Weldon (“Mr. Weldon”). Mr. Weldon filed his notice to appeal the default  
20 judgment and made arrangements to pay the appeal fees. Mr. Weldon has submitted papers which this  
21 Court construes as Mr. Weldon’s disagreement to pay appeal fees although Mr. Weldon filed no papers  
22 to seek relief to proceed without payment of appeal fees. This Court lacks jurisdiction to further act on  
23 this matter with Mr. Weldon’s appeal to the Ninth Circuit Court of Appeals, which has jurisdiction over  
24 this matter. As such, this Court directs the clerk to return Mr. Weldon’s papers to him.

25 || IT IS SO ORDERED.

26 || Dated: June 4, 2010

**/s/ Lawrence J. O'Neill**

UNITED STATES DISTRICT JUDGE

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