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7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
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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
16 FRANCHISE TAX BOARD, COUNTY OF
17 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