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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LILLIAN PELLEGRINI,  
  
                                Plaintiff,  
  
                v.  
  
FRESNO COUNTY, FRESNO COUNTY  
PUBLIC GUARDIAN, FRESNO  
COUNTY COUNSEL, SUPERIOR  
COURT OF FRESNO, UBS FINANCIAL  
SERVICES, BANK OF NY MELLON,  
COMERICA INC., WEINTRAUB  
TOBIN,  
  
                                Defendants.

Case No. 1:16-cv-1292 LJO-BAM  
  
ORDER DENYING COUNSEL’S PRO HAC  
VICE APPLICATION  
  
DIRECTING CLERK TO REFUND PRO HAC  
VICE FEE  
  
(Doc. 11).

Before the Court is attorney Beverly Pellegrini’s application to appear *pro hac vice* on behalf of *pro se* Plaintiff Lillian Pellegrini in this matter. (Doc. 11).

Eastern District of California Local Rule 180(b) states, “(e)xcept as otherwise provided herein, only members of the Bar of this Court shall practice in this Court.” Admission to the Bar of this Court is limited to attorneys who are active members in good standing of the State Bar of California. Local Rule 180(a). However, attorneys who are not members of this Court’s Bar may appear *pro hac vice*. Local Rule 180(b)(2) provides:

(2) Attorneys Pro Hac Vice. An attorney who is a member in good standing of, and eligible to practice before, the Bar of any United States Court or of the highest

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Court of any State, or of any Territory or Insular Possession of the United States, and who has been retained to appear in this Court may, upon application and in the discretion of the Court, be permitted to appear and participate in a particular case. Unless authorized by the Constitution of the United States or an Act of Congress, an attorney is not eligible to practice pursuant to (b)(2) if any one or more of the following apply: (i) the attorney resides in California, (ii) the attorney is regularly employed in California, or (iii) the attorney is regularly engaged in professional activities in California.

Applicant provides evidence that she is an attorney admitted to practice in the State of New York. However, a review of her application reveals that Ms. Pellegrini lists 3345 East Huntington Blvd. Fresno, CA 93702 as her business address. (Doc. 11). Pursuant to Local Rule 180(b)(2)(ii), an attorney may not appear *pro hac vice* if he or she resides in or is regularly employed in California. L.R. 180(b)(2)(ii). As an attorney currently living and/or practicing in Fresno, California, Ms. Pellegrini is not currently eligible for *pro hac vice* admission.

Accordingly, IT IS HEREBY ORDERED that the *pro hac vice* application of Beverly J. Pellegrini is DENIED without prejudice. Ms. Pellegrini may amend and resubmit her application; however any future applications for admission should be accompanied by a sworn declaration and documented proof of residency.

The Clerk of the Court is DIRECTED to issue a refund of Ms. Pellegrini's *pro hac vice* admission fee.

IT IS SO ORDERED.

Dated: October 6, 2016

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE