

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

COURTNEY CROSBY,

Petitioner,

No. 2: 05-cv-0447 GEB KJN P

vs.

T. SCHWARTZ, et al.,

Respondents.

ORDER

_____ /

On November 1, 2010, the Honorable Garland E. Burrell denied petitioner’s application for a writ of habeas corpus and issued a certificate of appealability.

On November 17, 2010, petitioner filed an application for a certificate of appealability which the court construes as a notice of appeal. On November 17, 2010, petitioner filed a motion for appointment of counsel. Because this action is now on appeal, this motion should be addressed to the Ninth Circuit Court of Appeals.

Accordingly, IT IS HEREBY ORDERED that:

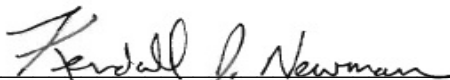
1. Petitioner’s motion for certificate of appealability (Dkt. No. 70) is construed as a notice of appeal; the Clerk of the Court shall process petitioner’s appeal;

////

////

2. Petitioner's motion for appointment of counsel (Dkt. No. 71) is disregarded.

DATED: December 1, 2010


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

cro447.app